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CONTENTS.

The claims for the Honours of SUTHERLAND 225. High antiquity of the family 227. Mr Wemyss's intereſt in the queſtion 228. The judgement ib. Conſequence of it with regard to precedency 229.

An abſtract of the act to prevent counterfeiting the COPPER COIN 229.

Remarks upon PLANTING 233.

MONTECUCULI: An anecdote 235.

Of NEWS-PAPERS and PRIVILEGE. Order for Mr Wilkes's attendance 236. Differences among the Bill-of-Rights men ib. The proſecution of the Commons meſſenger ſtopt 239. The London magiſtrates thanked by the common council 239. The Recorder's ſpeech ib. The populace outrageous 240, 43, 4. Precedents from the journals, &c. 242. The conduct of the magiſtrates found to be a breach of privilege 241, 3. Both the magiſtrates committed 244, 5. Letters to them, and their anſwers 245, 6.

Anecdote relating to PRIVILEGE 247.

REFLECTIONS on this diſpute 247.

Obſervations on the BAROMETER 248.

A violent HEADACH, and a cure 249

Debates of a POLITICAL CLUB. Speeches on the motion for committing Ald. Oliver, by Serj. G——n 250. Ald. T——d 251. and the Att. Gen 252.

Dyer on the bite of a MAD DOG 254.

NEW BOOKS, with remarks and extracts 255.

POETRY. To the memory of an amiable young lady 259. Langhorne's bee flower 260. Anſtey to Garrick, and the anſwer 261.

HISTORICAL AFFAIRS. Foreign European 262. North-American 268. Eaſt-Indian 269. Engliſh 270.

—— Proceedings of the general aſſembly. Caſe of Kinnaird pariſh 271. In what pariſh fornicators ſhould make ſatisfaction 272. Caſe of Norriſtown ib. St Ninian's 274. Proteſts relating to the numbering of the votes 229, 30. Anſwers to them 232. The reaſons of diſſent from the judgement 230. On the collector of the widows fund 276. The compromiſe in Mr Addie's affair 278. Of Nova Scotia 279.

A ſhort account of the Claims entered for the Honours of SUTHERLAND, as ſet forth in three petitions to the King; and a copy of the Judgement given upon them.

WILLIAM, the 17th Earl of Sutherland, died on the 16th of June 1766; leaving iſſue, only a daughter, Eliſabeth, an infant of about a year old, having been born on the 24th of May the preceding year. After his Lordſhip's death, petitions for three different perſons, claiming the honours, were preſented to the King; one for Sir Robert Gordon of Gordonſtoun, Bt, one for Lady Eliſabeth, the infant daughter of the late Earl; and one for George Sutherland of Forſs, Eſq;

The petition for Sir Robert ſets forth, "That in 1617, or thereabouts, Adam Gordon of Aboyne having married Eliſabeth Sutherland, only ſiſter to the late Earl of Sutherland, of the name of Sutherland, and who had ſucceeded to the family-eſtate on the death of her brother, WAS CREATED Earl of Sutherland, and Lord Strathnaver.

That no record, or other evidence in writing, of the manner and limitation of the creation, have hitherto been diſcovered; but the titles and dignity of Earl of Sutherland, and Lord Strathnaver, with all the privileges following ſuch degree of peerage, have been conſtantly enjoyed and exerciſed by the ſaid Adam, and his deſcendents in the male line,

from the time of his creation downwards:

That Adam Earl of Sutherland had by his wife, the faid Elifabeth, a fon, Alexander, who died before his father:

That Earl Adam was fucceeded by his grandfon (Alexander's fon) John Earl of Sutherland; who was fucceeded by his fon and heir Alexander Earl of Sutherland; who, befides John, his eldeft fon and fucceffor, had another fon, Sir Robert Gordon of Gordonftoun, Baronet, the petitioner's great-grandfather:

That by the death of *William*, the late Earl of Sutherland, without iffue-male, the whole male line of the fecond John Earl of Sutherland is extinct, and at an end; and the faid titles, honours, and dignity, have devolved on the petitioner; — and therefore prays, that the petitioner's right and title to the faid honours and dignity may be declared and eftablifhed."

The petition for Lady Elifabeth fets forth, "That the earldom of Sutherland is one of the moft ancient dignities in Scotland; and it appears, from the charters and title-deeds of the family, that the grants of the lands and earldom were uniformly in favour of *heirs*, until limited to heirs-male in 1601; but the deftination to *heirs*, was reftored by a fubfequent charter in 1681, and has not been varied fince that period:

That in 1514, John, then Earl of Sutherland, having died without iffue, his fifter *Elifabeth* took the dignity and earldom, as *heir* to her brother, without challenge from any collateral heir-male; and Adam Gordon, brother to the Earl of Huntly, her hufband, aflumed the title by courtefy, in her right, agreeable to the ancient cuftom which prevailed in Scotland:

That, in 1527, Elifabeth Countefs of Sutherland, with content of her hufband, refigned the earldom and eftate in favour of her fon Alexander and *his heirs*; referving the liferent to her hufband *Adam Gordon, by reafon of the courtefy of Scotland.*

From that period, this dignity and eftate have been enjoyed, in a regular defcent from father to fon, until the year 1766, when William the laft Earl of Sutherland died, leaving this infant petitioner, his only child, who apprehends that fhe is clearly intitled to the dignity by lineal defcent."

The petition for Mr Sutherland of Forfs fets forth, "That William Earl of Sutherland died towards the end of the 13th [14th] century, leaving a fon, Robert, the heir of his titles and eftate, (who had iffue-male), and a younger fon, Kenneth, (who alfo had iffue-male); and your petitioner is the lineal male defcendent of the faid Kenneth:

That from the faid Robert Earl of Sutherland the peerage of this family defcended, and was enjoyed, in a direct male line, from father to fon, till it came to John Earl of Sutherland, who died without iffue, in the year 1514; when the family-eftate was claimed and taken by his fifter Elifabeth; who intermarried with Adam Gordon, a younger fon of Gordon Earl of Huntly:

That the faid Elifabeth, fome time after the deceafe of her brother, the faid John Earl of Sutherland, aflumed the title of *Countefs of Sutherland*; and the faid Adam Gordon, her hufband, took the title of *Earl of Sutherland*, and *Lord or Baron of Strathnaver*; by or under whatever right or authority, is to the petitioner as yet unknown; but he conjectures the faid Elifabeth aflumed the titles and honours of the family, in prejudice of the heirs-male, upon the ground, that fhe, though a female, being poffeffed of the eftate, was intitled to the honours alfo; and the faid Adam Gordon, her hufband, in right of his faid wife, aflumed the faid honours and dignities, in virtue of the courtefy of Scotland: and the faid Elifabeth and her faid hufband being fucceeded by Alexander Gordon, their eldeft fon and heir, the fucceffion, both in the honours and eftate, was carried on downwards, from the faid Alexander, by males in this Gordon race, from father to fon, till it came to the late William Earl of Sutherland, who died in the year 1766, leaving iffue only one daughter, Elifabeth:

That at the time of the death of the above-named John Earl of Sutherland in 1514, the neareft male heir-male then exifting, of the ancient race of Earls of Sutherland, was by law intitled to claim the peerage, in oppofition to the above-named Elifabeth, the heir-female; but the male defcendents of the above-named Kenneth, the younger fon of William Earl of Sutherland firft above named, not being, at the time of the deceafe of the faid John Earl of Sutherland in 1514, the neareft branch of heirs-male exifting, and intitled, did not, and could not, claim.

claim. But now, after the extinction of all the nearer male deſcendents of the ſaid ancient race of Earls of Sutherland, the petitioner, the neareſt lawful male deſcendent of the above-named Kenneth, the younger ſon of William Earl of Sutherland firſt above named, being the true and ſole heir-male of the ſaid ancient race of Earls, and being adviſed, and humbly conceiving, that the right of ſucceeding to the titles, honours, and dignities, of Earl of Sutherland, and Lord or Baron of Strathnaver, and ſuch other honours and dignities as belong to the family, are in law and juſtice caſt upon the petitioner, as being the true and ſole heir-male of the ſaid ancient race of Earls of Sutherland:—and therefore he prays, that the petitioner's right and title to the ſaid honours and dignity may be declared and eſtabliſhed."

His Majeſty referred theſe petitions, ſeverally, to the conſideration of the Houſe of Lords, on the 3d and 20th of December 1767, and 25th of January 1768.

The above recital of the three petitions preſented to the King, is taken from the Additional Caſe of Lady Eliſabeth, printed in 1770; from which we ſhall give likewiſe the general propoſitions maintained by the ſeveral claimants, and the beginning of the hiſtory given of the family, viz.

"The propoſition which Sir Robert Gordon is obliged to maintain by his petition is, "That Adam Gordon of Aboyne was created Earl of Sutherland, and Lord Strathnaver, with a limitation to the heirs-male of his body;" for if there was no ſuch creation and limitation, he can have no right to this honour.

The infant daughter of the late Earl of Sutherland maintains, That the dignity of the earldom of Sutherland deſcended to Lady Eliſabeth, as ſiſter, and heireſs, of John Earl of Sutherland, in 1514; who, in *her own right*, was Counteſs of Sutherland, and to whom the claimant is heir-general.

The other petitioner, George Sutherland of Forſs, maintains, That this honour did not deſcend to Lady Eliſabeth; but, upon the death of John Earl of Sutherland in 1514, belonged of right to the next heir-male; and that he is now the neareſt heir-male of the ſaid John; although no claim has ever been made, by any perſon in that right, for upwards of 250 years.

If the claimant Lady Eliſabeth ſhall prevail in eſtabliſhing the propoſition ſhe maintains, it is a neceſſary conſequence, that neither of the other claimants have any right: but although ſhe ſhould fail in eſtabliſhing this propoſition, it will not follow, that the title muſt belong to one of the other claimants; for each of them is bound to make out the affirmative propoſition which he has undertaken to prove.

If any patent of the honour could be produced, the controverſy would be very ſhort; but it muſt be admitted on all ſides, that no patent does exiſt. The deſcent, then, of the honour muſt be proved from ſuch writings and deeds of the family as have eſcaped the injuries of time, from ſimilar or analogous inſtances, and from the general principles of law with regard to the ſucceſſion of dignities.

It is neceſſary, in the firſt place, to trace the hiſtory of the family of Sutherland, in order to ſhow in what courſe of ſucceſſion the eſtates of that family have been held.

The firſt of the family of Sutherland, diſcoverable upon record, is a perſon termed, according to the ſimplicity of ancient times, *Hugo Freſkyn*.

Between 1186 and 1214 he granted, "Magiſtro Gilberto Archidiacono Moraviæ, *et illis hæredibus de parentela ſua quibus ipſe dare et concedere voluit, et hæredibus eorum*, totam terram meam de Scelbol in Sutherlandia, &c. tenend. et habend. *ſibi, et hæredibus ſuis prænominatis, in perpetuum, de me, et hæredibus noſtris, &c.* *"

This grant was confirmed before 1214, by "*Willielmus Dominus de Sutherlandia*, filius et hæres quondam Hugonis Freſkyn."

Both grants were confirmed by Wil-

* *Original grant*, produced by the claimant.—This grant muſt have been made before 1214; for it is confirmed by William King of Scots, who died in 1214. Yet it cannot, in all probability, be prior to 1186. Perhaps it is long poſterior. Gilbert, Archdeacon of Moray, afterwards Biſhop of Caithneſs, died in 1245; *Keith*, Catalogue of Scottiſh Biſhops, p. 124. Suppoſing him to have become Archdeacon of Moray ſo early as at the age of twenty-one, and to have lived to the age of fourſcore, the grant by Hugo Freſkyn could not have been made before 1186.

[Authorities are quoted for all the facts.]

liam King of Scots between 1211 and 1214.

In the year 1275, an indenture was made between Archibald Biſhop of Caithneſs, and William Earl of Sutherland, by which it appears, that there had been controverſies, "*inter* Gilbertum, *Willielmum, et Walterum, bonæ memoriæ, Epiſcopos Cathanie, et nobiles viros, Willielmum, claræ memoriæ, et Willielmum ejus filium, Comites Sutherlandiæ.*"

This Gilbert, formerly Archdeacon of Moray, became Biſhop of Caithneſs in 1222, and died in 1245.

The indenture therefore proves, that there exiſted a *William Earl of Sutherland* between 1222 and 1245.

In all probability he was the ſame perſon with *Willielmus Dominus de Sutherland* the ſon and heir of Hugh Freſkyn, who confirmed the grant to Archdeacon Gilbert before the year 1214.

The indenture alſo proves, that he was dead in 1275, and that William Earl of Sutherland, then living, was his ſon; *claræ memoriæ, ejus filium.*"

For underſtanding the judgement given upon theſe claims, it is proper to inform the reader, that William, the 16th Earl of Sutherland, who died in 1750, left iſſue, a ſon, the laſt Earl, and a daughter, Lady Eliſabeth; that, in 1757, Lady Eliſabeth was married to the Hon. James Wemyſs, ſon of the laſt Earl of Wemyſs, and repreſentative of that Noble family; that, in 1761, the laſt Earl of Sutherland, in his contract of marriage, ſettled the eſtate, on the failure of heirs of his own body, on his Lordſhip's *other heirs ſucceeding to him in the dignity of Earl of Sutherland*; his Lordſhip having no doubt, as we have been informed, that his dignity would have deſcended of courſe to his ſiſter on failure of iſſue of his own body; that as the determination of the right to the dignity might therefore eventually affect alſo the right to the family-eſtate, a petition was preſented to the Houſe of Lords, on behalf of Lady Eliſabeth Wemyſs and her huſband, and their infant children, praying to be heard, in the queſtion concerning the honours, which their Lordſhips granted; and that accordingly a caſe was given in, and counſel was heard, for them, as well as for each of the claimants.

After a hearing of ſeven days at the Bar of the Houſe of Lords, the following judgement was pronounced.

Die Jovis, 21° Martii, 1771.

Upon report from the Lords Committees for privileges, to whom it was referred to conſider of the petition of Sir Robert Gordon, Baronet, claiming the titles, honours, and dignities, of Earl of Sutherland and Lord Strathnaver; and alſo of the petition of Eliſabeth (claiming the dignity of) Counteſs of Sutherland, — and her guardians; and alſo of the petition of George Sutherland of Forſs, Eſq; claiming the titles, honours, and dignities, of Earl of Sutherland and Lord Strathnaver; with his Majeſty's reference thereof to this Houſe; and alſo of the petition of James Wemyſs of Wemyſs, Eſq; for himſelf, and on behalf of Lady Eliſabeth, his wife, ſiſter of William late Earl of Sutherland, and of their infant children:

Reſolved and Adjudged by the Lords Spiritual and Temporal in Parliament aſſembled, That the title, honour, and dignity, of the Earldom of Sutherland, deſcended to Eliſabeth, the wife of Adam Gordon, upon the death of her brother John Earl of Sutherland, without iſſue, in 1514, as heir of the body of William who was Earl of Sutherland in 1275; was aſſumed by her huſband in her right; and from her has deſcended to the heirs-male, who were alſo heirs of her body, down to the death of the laſt Earl of Sutherland in 1766, without any objection on the part of the male line of the ſaid William.

Reſolved and Adjudged by the Lords Spiritual and Temporal in Parliament aſſembled, That none of the charters produced affect the title, honour, and dignity, of Earl of Sutherland, but operate as conveyances of the eſtate only.

Reſolved and Adjudged by the Lords Spiritual and Temporal in Parliament aſſembled, That the claimant Eliſabeth Sutherland has a right to the title, honour, and dignity, of the earldom of Sutherland, as heir of the body of William who was Earl of Sutherland in 1275.

Ordered, That this judgement be laid before his Majeſty by the Lords with white ſtaves.

ASHLEY COWPER,
Cler. Parliamentor.

In the beginning of this century, a queſtion for precedency was warmly litigated between the Earl of Crawfurd, who ſtands firſt on the roll of Scottiſh Earls, and the Earl of Sutherland; which, we have been told, was never finally

nally determined. At the union, three Earls ſtood upon the roll before Sutherland [ii. 602.], viz. 1. Crawfurd; 2. Errol; 3. Marifchall. The honours of the youngeſt of theſe is now fallen, by the attainder of George Earl Marifchall [xxii. 254. xxiii. 105.], for being concerned in the rebellion 1715; and it is ſaid, that the dignity of Earl in the families of Errol and Crawfurd is not traced farther back than to the year 1452 in the former, and to the year 1599 in the latter. If ſo, the above judgement ſeems to give the precedency clearly to Sutherland; as it aſcertains the fact, That there was an Earl of Sutherland in 1275, much more than a century farther back than that dignity can be traced in any family now on the roll.

An abſtract of the act 11° *Geo. III. cap.* 40. *for the more effectually preventing the counterfeiting the copper coin of this realm.*

Preamble. THE coining or counterfeiting any of the copper monies of this realm being puniſhable only as a miſdemeanor, the practice thereof hath of late years greatly prevailed, and is likely to continue to increaſe, to the great prejudice of trade, and the manifeſt injury of his Majeſty's ſubjects.

§ 1. If any perſon or perſons ſhall, from and after June 24. 1771, make, coin, or counterfeit, any of the copper monies of this realm, called an *halfpenny*, or a *farthing*, ſuch perſon or perſons, and his, her, or their counſellors, aiders, abettors, and procurers, ſhall be adjudged guilty of felony.

2. If any perſon ſhall, from and after the ſaid June 24. 1771, buy, ſell, receive, or put off, any counterfeit copper money, not melted down, or cut in pieces, at a lower rate than the ſame, by its denomination, doth import, or was counterfeited for, every ſuch perſon ſhall be adjudged guilty of felony.

3. It ſhall be lawful for any one juſtice of the peace, on complaint made, upon the oath of one credible perſon, that there is cauſe to ſuſpect, that any perſon is, or hath been, concerned in counterfeiting the ſaid copper monies, by warrant under his hand, to cauſe the dwelling-houſe, room, workſhop, outhouſe, yard, garden, or other place, belonging to ſuch ſuſpected perſon, to be ſearched for tools and implements for coining; and if any ſuch tools or implements ſhall be found concealed in any place ſo ſearched, or be found in the cuſtody or poſſeſſion of any perſon or perſons whatſoever not then employed in coining in his Majeſty's mints, nor having the ſame by ſome lawful authority, it ſhall be lawful for any perſon or perſons diſcovering the ſame, to ſeize, and he and they are hereby authoriſed and required to ſeize the ſame, and to carry them forthwith to ſome juſtice of the peace of the place; who ſhall cauſe the ſame to be ſecured, and produced in evidence againſt any perſon who ſhall be proſecuted for any of the offences aforeſaid; and after they ſhall have been produced in evidence, the ſame ſo produced, as well as the other ſo ſeized and not made uſe of in evidence, ſhall forthwith, by order of the court where ſuch offender ſhall be tried, or by order of ſome other juſtice of the peace in caſe there be no trial, be defaced and deſtroyed, or otherwiſe diſpoſed of as ſuch court or juſtice ſhall direct.

Papers given in to the Aſſembly 1771 *on the St Ninian's cauſe.*

A letter from Dr Macqueen, one of the miniſters of Edinburgh. Given in May 29.

To the Reverend Mr Robert Walker, Moderator of the General Aſſembly.

DEAR SIR,

AS my long attendance yeſterday was too much for my infirm ſtate of health, I cannot well be in the houſe to day at the time of reading the minutes. What relates to my proteſtation may be expreſſed, if the aſſembly is pleaſed to agree to it, in the following manner. — After calling on the parties, "that I aſked leave to proteſt, and did accordingly proteſt, againſt the intimation of that ſentence; as it ſeemed to me very doubtful whether that was indeed the deciſion of the Aſſembly: for although the fidelity of the clerk of court was altogether irreproachable, yet ſeveral members at a diſtance from his chair gave their votes in ſo low a voice, that he could not well hear and mark theſe votes diſtinctly; and as a ſcrutiny had been therefore earneſtly urged by a great number of the members of Aſſembly, but had been peremptorily refuſed, for theſe reaſons I thought it proper to enter this proteſtation."—Inſtruments in the clerk's hands, —or in words to this purpoſe. — I give you

you my meaning. — You know that I am, Dear Sir, your affectionate brother,

DANIEL MACQUEEN.

Edinburgh, Wedneſday, paſt ten o'clock.

Reaſons, by Mr John Freebairn, miniſter of Dumbarton, &c. who adhered to the above proteſt of Dr Macqueen. Dated May 29. Given in June 3.

1. THough it was declared from the chair, that it had carried, *Reverſe*, by two votes, it was peremptorily affirmed by ſeveral perſons of undoubted character, who had marked the votes with the utmoſt attention, and who had others ſtanding by them to aſſiſt them, that it was carried, *Affirm*, by a majority of two at leaſt.

2. In calling the roll, the name of Mr James Weir was called, who was not up at this aſſembly, but was at home in Orkney; notwithſtanding which, the word, *Reverſe*, was pronounced by ſome perſon when the ſaid Mr Weir's name was called; and this vote, we doubt not, was marked by the clerk. When this fact was mentioned in the houſe to-day, Mr Aliſon, one of the commiſſioners of the preſbytery of Kirkwall, declared, that he did not attend when his name was firſt called by the clerk, but on hearing the name of his fellow-commiſſioner called, he pronounced the word, *Reverſe*; on which the clerk having called Mr Aliſon's name again, he again voted, *Reverſe*; and this vote alſo, we have no reaſon to doubt, was marked by the clerk: and when it was craved, that what Mr Aliſon had declared ſhould be taken down in writing, the ſaid motion was over-ruled.

3. We are alſo credibly informed, that when another member's name who was abſent, was called by the clerk, on the ſecond call, the word, *Reverſe*, was returned from ſome perſon ſitting in the gallery of the church.

JOHN FREEBAIRN.

Reaſons of Diſſent from the judgement of the Aſſembly. Given in June 3.

WE DISSENT,

2. BEcauſe this deciſion appears to us to be in direct contradiction to the eſtabliſhed principles and laws of our eccleſiaſtical conſtitution, which are ſhortly recited in the 14th act of Aſſembly 1736*; and alſo to what is preſcribed in the 6th act of the Aſſembly 1694, with reſpect to the tranſportation of miniſters; to wit, "That preſbyteries do not concur in any call or deſign of tranſporting a miniſter from one congregation to another, unleſs, by due comparing of places, and all parties concerned, the diſproportion betwixt them, and the greater good of the church, be manifeſtly evident."

2. Becauſe, as we apprehend, the church hath a full right by law to exerciſe this juriſdiction. The power of granting or refuſing the tranſlation of miniſters from one pariſh to another, hath been an eſſential part of our eccleſiaſtical conſtitution ever ſince the beginning of the Preſbyterian government, and hath been exerciſed by the judicatories of this church from age to age. This is a part of that juriſdiction and diſcipline of the church which was ratified by act 16. *anno* 1592, which "annuls all acts of parliament made at any time before the date thereof, againſt the liberty of the true kirk, juriſdiction and diſcipline thereof, *as the ſamen is uſed and exerciſed within this realm.*" And further, this act gives full power to preſbyteries "to put order to all matters and cauſes eccleſiaſtical within their bounds *according to the diſcipline of the kirk.*"

This act, as is well known, was renewed and ratified in the 5th act of parliament *anno* 1690, and in many ſubſequent acts, till the whole was unalterably eſtabliſhed by the act of Union *anno* 1707. And ſurely the act of parliament *anno* 1712, reſpecting patronages, hath no clauſe containing the repeal of theſe

* viz. The General Aſſembly, conſidering, from act of Aſſembly, Aug. 6. 1575, Second book of Diſcipline, chap. 3. par. 4. 6. & 8. regiſtrate in the Aſſembly-books, and appointed to be ſubſcribed by all miniſters, and ratified by acts of parliament, and likewiſe the act of Aſſembly 1638. Dec. 17. & 18. and Aſſembly 1715, act 9. that it is, and has been ſince the Reformation, the principle of this church, That no miniſter ſhall be intruded into any pariſh contrary to the will of the congregation, do therefore ſeriouſly recommend to all judicatories of this church, to have a due regard to the ſaid principle in planting vacant congregations; and that all preſbyteries be at pains to bring about harmony and unanimity in congregations, and to avoid every thing that may excite or encourage unreaſonable exceptions in people againſt a worthy perſon that may be propoſed to be their miniſter, in the preſent ſituation and circumſtances of the church, ſo as none be intruded into ſuch pariſhes, as they regard the glory of God, and edification of the body of Chriſt.

acts;

acts; and cannot poſſibly be ſuppoſed to reach to the diſſolution of the fundamental parts of our eccleſiaſtical conſtitution. It ſeems to us alſo perfectly evident, that the act of parliament *anno* 1719 * is of itſelf ſufficient to prevent any diſagreeable conſequences from the full exerciſe of the power of the church, with regard to their refuſing to tranſlate a miniſter from one pariſh to another, when there are good grounds for this refuſal. And if good grounds can be found in any caſe, they are to be met with here. For,

3. At the moderation of the call to the preſentee, not one elder, or one head of a family, could be found, in that great pariſh, who would ſign the call. And as to thoſe heritors who by their letters of proxy offered to ſign it, either they did not reſide within the bounds of the pariſh, or were not of the communion of the church of Scotland, a very few excepted: ſo that, from the nature of the call, the general aſſembly had not the leaſt ſhadow of reaſon to grant the tranſportation. As to the comparative expediency or inexpediency of this tranſlation, there doth not appear to be the leaſt ground of heſitation. This was the unanimous opinion of the preſbytery, and of the ſynod, whoſe deciſion is now reverſed: and this ſentence of the general aſſembly can only be conſidered as a wanton exerciſe of eccleſiaſtical domination, tending to the grievous oppreſſion of the inhabitants of that pariſh.

They are known to be a people of ſober principles as to eccleſiaſtical affairs; and their ſteady loyalty to the government was ſhown in the worſt of times. At the beginning of the late rebellion, ſome hundreds of them applied for arms to the late Lord Blakeney, then in the caſtle of Stirling; who, upon their returning theſe arms, gave them public thanks for their good ſervices [viii. 32. 76.]. Some months after, when the great body of the rebel-army was for the ſpace of three weeks in this pariſh, and after their unhappy ſucceſs at Falkirk, yet not above three or four of the meaneſt of the inhabitants could be prevailed on to join themſelves to the rebels; from whom many of the loyal inhabitants ſuffered very harſh treatment. When ſo great and reſpectable a body of people, ſo great a body of loyal ſubjects, is oppreſſed, by whatever influence, this, we apprehend, is injurious both to the intereſts of religion, and of government; and is plainly contrary to the wiſe and benevolent injunctions of his Majeſty in his letter to this General Aſſembly, in which we were directed "to promote the happineſs of his people."

4. Becauſe this deciſion is, in our opinion, directly contrary to the expreſs terms of our commiſſions, in which we are injoined "to conſult, vote, and determine, in all matters that come before the general aſſembly, to the glory of God, and the good of his church, according to the word of God, the Confeſſion of Faith, and agreeably to the conſtitution of this church, as we ſhall be anſwerable." Now will any one pretend to ſay, that it is "for the glory of God, and the good of his church," that a miniſter ſhould be removed from a ſmall pariſh, where his ſervices are acceptable, and we hope uſeful, to his people, and be forced upon one of the largeſt pariſhes in Scotland, where the inhabitants are poſſeſſed with invincible prejudices againſt him, which they think well grounded, as his bodily ſtrength is altogether inadequate to the diſcharge of the public, and much more of the private duties of his function among them?

Can it be "for the good of the church," to drive thouſands of people from the communion of the church? and to ſcatter them among the numerous ſectaries that are around them? Will not the intereſts of theſe ſectaries be hereby ſtrengthened?

* viz. And whereas great obſtructions have been made to the planting, ſupplying, or filling up of vacant churches in Scotland, with miniſters qualified according to law, patrons preſenting perſons to churches who are not qualified by taking the oaths appointed by law, or who, being ſettled in other churches, cannot, or will not, accept of ſuch preſentations: To the end that ſuch inconveniencies may be prevented for the future, be it enacted by the authority aforeſaid, That if any patron ſhall preſent any perſon to a vacant church, from and after the 1ſt day of June 1719, who ſhall not be qualified by taking and ſubſcribing the ſaid oath [the abjuration, viii. 362, 3.], in manner aforeſaid, or ſhall preſent a perſon to any vacancy, who is then, or ſhall be, paſtor or miniſter of any other church or pariſh, or any perſon who ſhall not accept, or declare his willingneſs to accept, of the preſentation and charge to which he is preſented, within the ſaid time, ſuch preſentation ſhall not be accounted any interruption of the courſe of time allowed to the patron for preſenting; but the *jus devolutum* ſhall take place, as if no ſuch preſentation had been offered; any law or cuſtom to the contrary notwithſtanding. 5° *Geo. I. cap.* 29. § 8.

ſtrengthened? and ſuch deciſions of our general aſſemblies from year to year be productive of the moſt dangerous convulſions in this church, through almoſt every part of Scotland? Theſe are but too well known and felt already, while, in the courſe of thirty years paſt, more than a hundred thouſand of the people of Scotland, as we are informed, have deſerted the communion of this church, on account of theſe unwarrantable and oppreſſive deciſions.

We are affected, deeply affected, with the deplorable ſituation of the parish of St Ninian's, in conſequence of this ſentence, which appears to us to be altogether unreaſonable, unconſtitutional, illegal, oppreſſive, and may be productive of the moſt unhappy effects. We ſhall only add, that if things are to go on according to the general train of deciſions of aſſembly for ſome years paſt, we are perſuaded, that our country (to uſe the words of a paper given in to laſt aſſembly on this very cauſe) will "ſoon be reduced to the ſame melancholy ſtate it was in before the Revolution; when an eſtabliſhed clergy generally odious to the people, under an eccleſiaſtical government rigorous and oppreſſive, poſſeſſed the churches and benefices, and the great body of the people of Scotland were attached by principle and affection to diſſenting miniſters." [xxxii. 302.]

DANIEL MACQUEEN.

Edinburgh, June 3. 1771.

Report of a committee appointed to prepare what ſhould be recorded in relation to Dr Macqueen's proteſt, &c. [229.]

THough the committee think it improper for the Venerable Aſſembly, unleſs in very particular circumſtances, to anſwer proteſts againſt their deciſions, eſpecially proteſts ſo vague and ill-founded as the one under conſideration; yet as the Aſſembly have permitted this proteſt to be marked in their minutes, the committee are of opinion, the following facts ſhould be entered into their record, for the honour of the court, and vindication of the principal clerk: "That by the conſtant invariable practice of the aſſembly, the principal clerk marks the votes; whoſe declaration of the majority, from his marking, has been, and muſt be, held as deciſive; otherwiſe there could be no end of any diſpute, until another method of collecting the votes, or dividing the Houſe, ſhall be duly conſidered, and agreed to: That, in the preſent caſe, not only the inviolable faith and irreproachable character of the clerk, as admitted by the proteſters, but the teſtimony of the Moderator, who declared from the chair, that he heard every vote, and ſaw them marked with the utmoſt preciſion, removes every poſſible doubt; to which, for the further ſatisfaction of every one concerned, it may be added, that two gentlemen of undoubted character, who voted on different ſides of the queſtion, and ſat in the centre of the houſe, hard by the clerk, and marked the votes on a roll of the members which each of them had, concurred in confirming the clerk's marking to be juſt, as they declared to the General Aſſembly."

Remark on Mr Freebairn's proteſt. [230.]

IN this proteſt, it is mentioned, That Mr James Aliſon, one of the commiſſioners from the preſbytery of Kirkwall, did not advert when his name was firſt called by the ſubclerk, but on hearing the name of his fellow-commiſſioner called, viz. Mr James Weir, who was not up at the aſſembly, he pronounced the word *Reverſe*; on which the ſubclerk having called Mr Aliſon's name again, he again voted *Reverſe*; and that this was marked by the clerk as two votes for *Reverſe*, the proteſters ſay they have no reaſon to doubt. On this the clerk repreſented to the aſſembly, That when by this miſtake or inattention of Mr Aliſon's he expreſſed his vote twice, there was a full ſtop till the matter was underſtood, and he (the clerk) did then mark but one vote; which was atteſted to be fact by thoſe who ſtood or ſat near to him in the marking; that one of the two gentlemen who marked the votes upon his roll, (who himſelf voted on the oppoſite ſide to that which carried), happened to mark both Mr Aliſon and Mr Weir as voting; by which means he brought out three of majority for *Reverſe*, inſtead of two of majority brought out by the clerk; and the gentleman being appealed to for this by the clerk in preſence of the aſſembly, aſſented to it that it was the fact as to his marking. At the ſame time, the other who marked the votes upon his roll, declared, that as he perceived Mr Aliſon's miſtake, he brought out the numbers preciſely the ſame with thoſe of the clerk.

Miſcellaneous remarks upon Planting.

LETTER I.

SIR, *February* 1771.

WHile the great men who ſurrounded the throne of our moſt gracious ſovereign, are wrangling about places and penſions, and trying who can prevail in the conteſt for riches and honours; while *Junius* is ſtudying how he can beſt annoy the men in power, and *North* is putting on his armour for defence; while *Camden* is turning over the muſty records of antiquity, for precedents of law to confound his antagoniſt, and *Mansfield* is preparing himſelf to meet this doughty champion; while *Chatham* is publiſhing his oracular ſpeeches, to convince the world that he alone is able to penetrate the deſigns, and fruſtrate the attempts, of all our enemies; while *Rockingham* calls for his myrmidons, and *Burke* and *Barre* ſound the dread alarm of war, of bloodſhed, and total deſolation; let us, who live at a diſtance from theſe tumultuous ſcenes, look up with indifference on all theſe ſeveral conteſts, little ſolicitous about the ſucceſs of either party, being convinced that diſputes of this ſort muſt ever be the neceſſary attendant, and perhaps the ſureſt guard, of public liberty; and, while we laugh at the ſpecious pretexts which they employ to impoſe upon each other, let us, without peeviſhneſs, allow them to enjoy, as well as they can, their ſhort-lived glory, and plume themſelves upon their fancied ſuperiority; while we, with diligence and aſſiduity, endeavour, each of us, faithfully to perform that taſk which Providence has allotted us, and, in our more humble ſphere, contribute what is in our power for the public good, by encouraging every uſeful art, and carrying on, with a chearful alacrity, every improvement which can be of benefit to the nation, while, at the ſame time, it promotes the happineſs of individuals. It is with a view to turn the attention of my countrymen to an object of much conſequence to many individuals among us, as well as of the moſt general utility to this ancient kingdom, that I give you the trouble of this letter.

The ſcarcity of wood is a general complaint throughout all Britain, eſpecially in Scotland; which is the more to be regretted, as there are ſo many extenſive tracts of land in almoſt every corner of it, entirely proper for raiſing wood, which is at preſent of almoſt no value at all, the produce being next to nothing. I would therefore ſtrongly recommend this ſubject to the attention of the proprietors of ſuch land, and beg of them ſeriouſly to examine of what importance it might be to themſelves and their heirs, if a ſmall part of theſe barren waſtes was covered with trees; and I am ſatisfied, that a very little reflection will ſoon convince them of the great utility of it.—And that any one who turns his attention this way, may not be impoſed upon by falſe reaſoning, I would likewiſe recommend to him to take the opinion of any of his neighbours, who, in the younger part of his life, may have made any conſiderable plantation of trees;—or let him go to any thriving wood, and carry with him a man who is a judge of the value of the trees which are in it, and compute what may be the value of one acre; and I ſhall not be afraid that he will draw an unfavourable concluſion; although I am ſenſible that nineteen plantations out of twenty which have been made in this country, have been done with ſo little judgement, that the proprietor does not draw near the one half of what he might have done by a more judicious proceeding; as I ſhall probably have occaſion to ſhow hereafter.

I believe that many perſons are prevented from planting trees, by thinking that ſuch a great length of time muſt elapſe before they can reap any profit or advantage from them: and indeed trees, like children, advance ſo gradually in their growth, that we do not perceive their increaſe by looking at themſelves, unleſs we compare them with ſome fixed ſtandard, which we more ſeldom apply in the one caſe than the other. It would, however, be very eaſy for me to produce, from accurate calculations, the cleareſt proof, that theſe advance ſo faſt, as that few men, except when on the very verge of old age, have not a reaſonable proſpect of reaping conſiderable advantage from their plantations in their own lifetime; but as I would always with rather to refer to experience than reaſoning, I ſhall here omit theſe calculations, and only beg of the reader to open his eyes, and be attentive, and he cannot fail of meeting with abundant proof of this. If he is acquainted with Eaſt Lothian, I would bid him obſerve the wood of Tinningham, from which the Earl of Haddington at preſent draws

ſuch a conſiderable revenue; and be informed, that this wood was planted by the late Counteſs-dowager of Haddington, after ſhe was become a widow, and well ſtricken in years; and, notwithſtanding this, ſhe had the pleaſure, ſeveral years before her death, to ſee this wood, planted at ſuch an advanced period of her life, abundantly repay to her ſon all the expence and care ſhe had been at; and uſed to boaſt, with a very allowable ſpecies of vanity, that this field, which had come into her poſſeſſion a barren waſte, had, by her management, become one of the moſt valuable that belonged to the family of Haddington. Many other inſtances of the ſame kind might eaſily be produced, to ſhow the ſpeedy, though imperceptible advance, which trees make in growth: but, to render this ſtill more plain, and obvious to the ſenſes, I ſhall here preſent the reader with a table, ſhowing the real increaſe of twelve trees in ſixteen years, as they were actually meaſured by Mr Robert Marſham, and recorded in the Philoſophical Tranſactions, vol. 51. I muſt, however, obſerve, that I have taken only the two firſt columns from the table he publiſhed, having altered the others where I found them defective: for, as he has ſuppoſed, that all the trees were of an equal height, and made his calculations accordingly, it is obvious that they muſt be erroneous; for every one knows, that a tree, till it arrives at a very conſiderable ſize, continues to advance in height as well as in girt; ſo that, to make an exact meaſurement of its contents, it is neceſſary to attend to both theſe particulars.

To do this in the moſt accurate manner, I could have aſſumed as *data*, that trees advance in height in the ſame proportion with reſpect to their girt, as is expreſſed in the margin; which the reader may correct, if he thinks they are erroneous: but it will be neceſſary for him to obſerve, that although, when trees turn old, they advance but little in height; yet, as their boughs become large, and afford wood as well as the trunk, theſe ought to be meaſured as well as the body of the tree; ſo that I imagine the height which I have aſſigned to the large trees, is rather under than above the truth. Having premiſed this much, I ſubjoin the table, with the corrections, as under.

Girt. Feet	*Height.* Ft in.
1	10
2	15
3	19
4	23
5	25 6
6	27
7	28 6
8	29
9	29 6
10	30

A TABLE, ſhewing the increaſe of Twelve Trees in ſixteen years, from actual meaſurements taken by Robert Marſham, firſt in April 1743, before they began to grow, and again in Autumn 1758, after that year's growth was complete.

[In the titles of the columns, *F* denotes Feet; *i*, inches; and *d*, decimal parts.]

Different ſorts of trees meaſured.	Girt in 1743.	Girt in 1758.	Height in 1743.	Height in 1758.	Solid 1743.	Con. 1758	Incr. 16 Y.
	F. i. d.	*F. i. d.*	*F. i.*	*Cubic F. i.*	*Cubic F. i.*	*Cubic F. i*	*Cubic F. i.*
1. An Aſh planted ſince the year 1647	9 10 4	11 1 0	29 9	30 6	172 9	230 6	57 7
2. An Oak paſt thriving, but ſound	9 4 4	10 1 0	29 6	30	149 3	190 3	41 0
3. An Oak about 80 years old	6 3 3	7 8 3	27	28 9	67 5	118 0	50 5
4. A Scots Fir, ſowed in 1698	5 4 6	6 6 0	26	27 9	46 2	72 9	26 7
5. An Oak planted about 60 years	5 11 1	7 2 3	26 9	28 9	57 1	91 9	34 8
6. A Spaniſh Cheſnut near 60 years old	4 4 0	5 6 3	23 6	26 3	27 5	51 6	24 1
7. Another 45 or 46 years old	2 9 6	4 4 4	18	23 6	8 4	27 5	19 1
8. An Oak planted by myſelf in 1720	2 11 2	5 1 2	18	23 6	9 5	37 9	28 4
9. A Scots Fir planted in 1734	1 11 0	4 0 0	15	23	3 7	23 0	19 3
10. A Pinaſter planted in 1734 or 1735	2 5 1	4 3 1	17	23 6	6 4	26 5	20 1
11. An Oak ſowed in 1719	1 7 0	2 8 2	13	18	2 0	7 9	5 9
12. An Oak planted in 1720 or 1721	2 9 5	4 9 4	18	25	8 7	35 2	26 5
				Total increaſe in ſixteen years			353 1

From

From this table it appears, that twelve trees have increaſed three hundred and fifty-three cubic feet in ſixteen years; which, if ſold at one ſhilling per cubic foot, would amount to 17 l. 13 s. Sterling. Now, if we ſhould ſuppoſe a Scots acre of ground planted with trees thriving at the ſame rate, at ten feet diſtance from one another, it would contain 540 trees; and would of conſequence, yield of increaſe 15,885 cubic feet, in ſixteen years; which if ſold at one ſhilling per cubic foot, would amount to ſomething better than 794 l. Sterling; which, divided by ſixteen, gives 49 l. 10 s. for the annual produce: or, if the wood were ſold at ſix pence per cubic foot, it would give 24 l. 15 s. *per ann.*; or, if at three pence per cubic foot, 12 l. 7 s. 6 d.; or at one penny per foot, it would yield 4 l. 2 s. 6 d. *per ann.*; which is a profit great enough to ſatisfy the moſt avaricious. And although we ſhould allow that it is probable that the trees which form the ſubject of this experiment, have been more favourably ſituated, and perhaps advanced faſter, than could be expected in a general plantation, we have room to make conſiderable deductions on that account, without diminiſhing the profits near ſo much as moſt people would be ſatisfied with, as even one tenth of the ſmalleſt of theſe calculations is more than is generally drawn for good arable land in many parts of this kingdom.

I ſhall not at preſent trouble you with many remarks upon this table, as I ſhall only obſerve, that from it we may learn, that, although trees increaſe faſter when young, in proportion to their ſize; yet large trees do really produce more wood in an equal ſpace of time than ſmall ones. Thus N° 1. produces, in ſixteen years, 57. 7. cubic feet of wood, which is preciſely one fourth of its whole bulk; whereas N° 9. increaſes only 19. 3. cubic feet, which is three fourths of the whole bulk nearly. Whether the greater ſpace neceſſary to be allowed to large trees than young, would be ſufficient to counterbalance the greater produce, I cannot exactly ſay; but I am diſpoſed to imagine that it would, as we ſee that trees, when young, bear to be much cloſer upon one another than when older; ſo that probably an acre of young growing wood would produce as much as one of full-grown trees in an equal number of years. But whatever may be the caſe with regard to large plantations, it is obvious, that ſuch trees as ſtand ſingle, and are advanced to a conſiderable ſize, continue to increaſe in quantity very much; ſo that every one who has ſuch trees, ought to preſerve them with care, as they are continually gaining more and more, and adding to the ſtock of the proprietor in a much higher degree than any *intereſt* he could get for the money which he would draw from felling them.

It is likewiſe worth remarking, that, of all the trees mentioned in this table, none of them (except the large thriving aſh, N° 1.) advance ſo faſt as the oak. I would wiſh that my countrymen would pay a particular attention to this circumſtance, becauſe there ſeems to be a general prejudice among the people of Scotland againſt this noble tree, ſo juſtly termed the *king of the woods*, they imagining, from its ſlow progreſs at firſt, and the length of time that it continues to thrive, that it makes but very little progreſs; but this notion is ſufficiently refuted by experience, as this table ſhows. It is worth obſerving, that even Mr Marſham himſelf was deceived by this tree, as he had imagined that N° 2. was paſt thriving, and yet it increaſed, in ſixteen years, 41 cubic feet; which, at the ordinary felling price of that wood, is worth 4 l. Sterling and upwards. I ſhall not now take up more of your time; but may, perhaps, on ſome future occaſion, ſend you ſome further remarks upon this ſubject. I am, &c.

Week. Mag. AGRICOLA.

Anecdote of MONTECUCULI, *the Italian general, and competitor to the great* TURENNE.

THis General, when he commanded the Imperial army, had on a march given orders, on pain of death, that no one ſhould walk over the corn. A ſoldier returning from a village, ignorant of the orders, came through a path in a corn-field. Montecuculi, who perceived him, commanded the Prevot to hang him. In the mean while the ſoldier advanced towards the General, and pleaded his ignorance. To which Montecuculi replied, "The Prevot ſhall do his duty." As all this occurred almoſt in an inſtant, the ſoldier was not yet diſarmed; when, full of rage and revenge, he ſaid, "I was not guilty before, but now I am;" and at the ſame time fired his piece at the General. It miſſed, and Montecuculi pardoned him.

Proceedings of the Commons againſt newswriters, for publiſhing their ſpeeches, &c. and againſt two London magiſtrates, for countermanding the order of the Houſe, continued. [184.]

Mention has been made [183.] of the order for the attendance of Mr Wilkes: we here inſert copies of the order, and of Mr Wilkes's anſwer, viz.

"*Martis*, 19° *die Martii*, 1771.

The Houſe of Commons having yeſterday received information, that one of the meſſengers of this Houſe, after he had arreſted J. Miller by virtue of the warrant of the Speaker of the Houſe of Commons, to anſwer for a contempt of the ſaid Houſe, was carried by a conſtable upon a charge made againſt the ſaid meſſenger by the ſaid J. Miller, for an aſſault and falſe impriſonment made upon the ſaid J. Miller in the ſaid arreſt, before Braſs Croſby, Eſq; Lord Mayor of the city of London, where *John Wilkes, Eſq; Alderman*, and Richard Oliver, Eſq; were preſent; when the Deputy Serjeant at Arms attending this Houſe, acquainted the ſaid Magiſtrates, that the ſaid arreſt of the ſaid J. Miller was made by the ſaid meſſenger under a warrant ſigned by the Speaker of the Houſe of Commons, which warrant was then produced and ſhewn to the ſaid Magiſtrates; and demanded of them, that the ſaid meſſenger ſhould be diſcharged, and the ſaid J. Miller delivered up to the cuſtody of the ſaid meſſenger; and that the ſaid Lord Mayor, *John Wilkes, Eſq;* and Richard Oliver, Eſq; after ſuch information and demand as aforeſaid, ſigned a warrant for the commitment of the ſaid meſſenger to the Compter for the ſaid ſuppoſed aſſault and falſe impriſonment of the ſaid J. Miller, and obliged the ſaid meſſenger to enter into a recogniſance for his appearance at the next quarter-ſeſſions of the peace to be held for the city of London, to anſwer to ſuch indictments as ſhould then be found againſt him for the ſaid ſuppoſed aſſault and falſe impriſonment.

Ordered,

That *John Wilkes, Eſquire*, do attend this Houſe to-morrow morning.

J. Hatsell, Cl. Dom. Com."

"*March* 20. 1771. *Received from Mr William Witham, one of the meſſengers, at half an hour after eight this morning. J. W.*"

"SIR, *London, March* 20. 1771.

I this morning received an order, commanding my attendance this day in the Houſe of Commons. I obſerve, that no notice is taken of me in your order as a *Member of the Houſe*, and that I am not required to attend *in my place*. Both theſe circumſtances, according to the ſettled form, ought to have been mentioned in my caſe, and I hold them abſolutely indiſpenſable. In the name of the Freeholders of Middleſex I again demand my ſeat in parliament, having the honour of being freely choſen, by a very great majority, one of the repreſentatives for the ſaid county. I am ready to take the oaths preſcribed by law, and to give in my qualification as Knight of the Shire. When I have been admitted to my ſeat, I will immediately give the Houſe the moſt exact detail, which will neceſſarily comprehend a full juſtification of my conduct relative to the late *illegal* proclamation, equally injurious to the honour of the crown, and the rights of the ſubject, and likewiſe the whole buſineſs of the printers. I have acted entirely from a ſenſe of duty to this great city, whoſe franchiſes I am ſworn to maintain, and to my country, whoſe noble conſtitution I reverence, and whoſe liberties, at the price of my blood, to the laſt moment of my life, I will defend and ſupport. I am, Sir, your moſt humble ſervant, John Wilkes."

Rt Hon. Sir Fletcher Norton, Kt.

In the papers of March 20. or 21. appeared the following advertiſement.

"*London Tavern, Tueſday, March* 19. 1771. At a ſpecial meeting of the Supporters of the Bill of Rights, Sir Francis Blake Delaval, K. B. in the chair, reſolved, 1. That a gratification be given to John Wheble, Printer of the Middleſex Journal; Roger Thompſon, Printer of the Gazetteer; and John Miller, Printer of the London Evening Poſt, for having appealed to the laws of their country, and not having betrayed, by their ſubmiſſion, the rights of Engliſhmen. 2. That it is the intention of this Society, that the gratification of the Printers ſhould extend to the ſum of One hundred Pounds to each. 3. That the monies given to this purpoſe be paid into the hands of the Treaſurers of the Society. Thomas Boddington, Sec."

Extracts from the ſpeeches at this meeting are given thus.

After ſome time had been ſpent in haranguing by other members, Robert Morris, Eſq; addreſſed the chairman on the

the ſubject of the late proclamation; his ſentiments on which was much the ſame as mentioned in his opinion on Wheble's caſe [179.]; to which he added, "It is legally impoſſible to ſeize any citizen of London without the conſent of its own magiſtrates. Were the legiſlature even to make an act for that purpoſe, it could not have any force; becauſe the act made in favour of the city in the reign of William and Mary, ought to be conſidered as a conſtitution, and as irreverſible as *Magna Charta*: for indeed it is the *Magna Charta* of the city. For all theſe reaſons it gives me pain to ſee the printers deſerted; and I wiſh Mr Alderman Townſend were preſent, that I might complain to him, face to face, of his having forfeited his word, by refuſing to be the man who would releaſe them, if they were apprehended in conſequence of this illegal proclamation. Indeed I have already talked to him on the ſubject, and aſked why he did not perform his promiſe. His anſwer was, that he did not find he ſhould be ſupported by any *great man*, and otherwiſe it would be folly."

John Reynolds, Eſq; roſe up and ſaid, "Mr Townſend may wait for the ſupport of *great men*; but I am perſuaded, that there is here preſent a member, who will act upon other principles, and do his duty, whether he is, or is not, countenanced by *great men*."

Mr Alderman Wilkes got up and gave his ſentiments of the proclamation, which were the ſame as mentioned in his letter to the Speaker, (above inſerted), as to its legality; and added, "Fearleſs of conſequences, I will, as I have always done, prefer duty to intereſt; nor look up to any *great man*, for that protection which the laws ought to afford. If they muſt be ſilent, if deſpotiſm is become ſo irreſiſtible in this country, as to ſtifle the voice of the laws; who would wiſh to ſurvive them? But we are not yet come to this deſperate criſis. The laws will be heard. They may for a time be overborne; but they will in the end prevail. The people of England are not yet ſo tame or puſillanimous as to give up their birthright, their laws and liberties. In this comfortable hope I will ſtand out againſt every arbitrary mandate, and diſcharge the printers, if they are brought before me for commitment, under no better authority than that of —— ——, or the *warrant of Sir* —— ——."

There have been differences for ſome time in the ſociety; and on this occaſion there were two parties. In the papers of March 25. a member publiſhed a letter: "I think it my duty," ſays he, "to contradict an advertiſement, that the ſociety met on the 19th of this month, and came to ſeveral reſolutions. The whole is an impoſition on the public and the ſociety. No ſuch meeting could be held." He then relates, that at a meeting March 12. the ſociety had fixed the next meeting for the 9th of April, and formed a circular letter for calling them together on that day, a copy of which he inſerts; that two reſpectable members went, and proteſted againſt the pretended meeting of the 19th, and gave in the proteſt, ſigned by ſeventeen reſpectable members, a copy of which likewiſe he inſerts; that about twenty gentlemen attended, among whom were all thoſe who abſented themſelves from the former meeting; and that the very gentlemen who ſigned the proteſt, wiſh that the affair of the printers ſhould be conſidered by the ſociety, but thought it impoſſible to be taken up till the next regular meeting, and knew there was no danger in the delay.

In anſwer to this a letter appeared, dated March 26. ſigned SCIPIO. "How far," ſays he, "the advertiſement is an impoſition upon the public, will appear by the verification of thoſe gratuities which are promiſed to the perſecuted printers. What impoſition it can be upon the ſociety, I am at a loſs to ſuggeſt, unleſs the ſociety is to be conſidered as the mere committee of one individual, exiſting only for the purpoſes of paying thoſe debts which he ever has or ever may contract. It would then indeed be a great impoſition upon him; for he could not but behold every farthing iſſued to any other purpoſe, however important, however temporary, however patriotic, as a ſacrilegious robbery of the public: for he and the public will ever be the ſame. In that light he acts indeed as a true friend to the people, when he attacks the laſt meeting of the Supporters, as ſpurious and invalid. Should many future meetings be held for the ſame purpoſe, he foreſees, that leſs will remain to be drawn out of the private purſes of the members for his public purpoſes. If he does not continue the ſole object of ſupport, they no longer deſerve the title they have aſſumed: they

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become traitors to the people, apoſtates from the cauſe, the mere emiſſaries of an ariſtocratic faction, equally inclinable to oppreſs the people with the preſent adminiſtration, when they ſhall obtain the power."

He annexes the following liſts, viz.

Members preſent at the ſpecial meeting. Sir F. B. Delaval in the chair, Colhoun, Warrington, T. Oliver, Bull, Lovel, Manning, Skey, Eldridge, Sheldon, Arthur, Morris, Pearſon, Jefferies, Keighly, Davis, Horne, Towgood, Tooke, Withers*, Perry*, Dr Dawſon*, Baldy†, R. James‡.

Proteſters againſt the meeting. Rev. Dr Wilſon, H. Wilkes, Reynolds, Jenk. Jones jun. Samuel Petrie, Churchill, Ellis, Hayley, Turner, R. Jones, Staveley, Martyn, Crompton, Maſon, Rhodes, Cawdron, J. Wilkes.

And ſubjoins a written opinion or declaration of a very reſpectable member, which was tacked to the proteſt as a rider, and delivered in along with it, viz.

"In the very early ſtate of this buſineſs, I am of opinion, that the advertiſement from the Society for a meeting to-morrow cannot anſwer any good end. If ſubſcriptions ſhould be neceſſary, I imagine they might be obtained from the minority of the Houſe of Commons. That minority, or part of them, will diſlike the meaſure, when it appears they are to act a ſecondary part to the Supporters of the Bill of Rights. I therefore, for the preſent at leaſt, diſlike the ſpecial meeting advertiſed for 19th March.

March 18. J. MAWBEY."

On Wedneſday, March 20. the Commons ordered, That Mr Robert Holder ſhould attend the Houſe upon the Friday after, with the minutes taken by him on the Friday before at the Manſion-houſe.

The Lord Mayor having informed the Houſe, That he thought himſelf obliged to act as he did, by the oath he had taken, as Lord Mayor, to preſerve the liberties of the citizens of London, granted by the ſeveral charters granted to the city of London, and ſuppoſed to have been confirmed by act of parliament; and having deſired that counſel might be heard as to this point; a motion was made; and the queſtion being propoſed, That counſel be at liberty to be heard upon Friday morning next to this point? the Houſe was moved, That the ſeveral entries in the Journals of the Houſe, of Jan. 28. and Feb. 1. & 6. 1750, of the proceedings relating to Alexander Murray, Eſq; might be read; and they were read accordingly. Then the Houſe was moved, That the entry of Jan. 25. 1768, of the report from the committee of privileges and elections, touching the complaint made of a breach of privilege, againſt Simon Luttrel, Eſq; a member of the Houſe, might be read; and it was read. Then the queſtion being put, That counſel be at liberty to be heard, upon Friday next, to this point, "That the Houſe of Commons have not a right to enforce the execution of their orders within the city of London?" it paſſed in the negative. Then it was ordered, That the Lord Mayor ſhould be at liberty to be heard, upon Friday morning next, by his counſel, upon all ſuch points as do not controvert the privileges of the Houſe.

The order of the day being read, for the attendance of John Wilkes, Eſq; Alderman of the city of London, it was ordered, that he ſhould attend upon the Monday morning following.

The order of the day being read, for the attendance of Morgan, clerk to the Lord Mayor of London, with the minutes taken before his Lordſhip, relative to the meſſenger of the Houſe giving ſecurity for his appearance at the next general quarter-ſeſſions of the peace for the city of London, to anſwer to ſuch indictments as may be preferred againſt him, for the ſuppoſed aſſault and falſe impriſonment of J. Miller; and James Morgan, clerk to the Lord Mayor, attending accordingly, he was called in; and the book containing the ſaid minutes, being produced by him, was brought up to the table, and the entry of the ſaid minutes was read. A motion was then made, and the queſtion being propoſed, That James Morgan, clerk to the Lord Mayor, do, at the table, expunge the ſaid entry? On which a motion was made, and the queſtion being put, That the Houſe do now adjourn? it paſſed in the negative. Then the main queſtion being put, it was ordered, That James Morgan, clerk to the Lord Mayor, do, at the table, expunge the ſaid entry. And he expunged it at the table accordingly.

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* Came in after dinner.

† Diſſented, and withdrew as ſoon as the buſineſs was declared.

‡ Came after dinner, merely to deliver the proteſt.

A motion was then made, and the queſtion being propoſed, That no other proſecution, ſuit, or proceeding, be commenced, or carried on, for or on account of the ſaid pretended aſſault or falſe impriſonment? a motion was made to adjourn; which paſſed in the negative. Then the main queſtion being put, it was ordered, That no other proſecution, &c. [as in the motion.]

A court of common council of the city was held at Guildhall on Tueſday, the 21ſt. The Lord Mayor continuing ill, Ald. Trecothick was *Locum Tenens*. On a motion made, againſt which only four hands were held up, it was reſolved, "That the thanks of this court be given to the Rt Hon. the Lord Mayor, and the Aldermen Wilkes and Oliver, for having, on a late important occaſion, ſupported the privileges and franchiſes of the City, and defended our excellent conſtitution." It was afterwards ordered to be ſigned by the town-clerk, and a copy delivered to each of them.

A motion was then made, and carried, "That a committee of four Aldermen, and eight Commoners, be appointed to aſſiſt the Lord Mayor, and the Aldermen Wilkes and Oliver, in their defence on the charge brought againſt them by the Houſe of Commons." The following were appointed: Aldermen, Sir William Stephenſon, Sir Charles Aſgill, Mr Turner, and Mr Kirkman; Commoners, Meſſ. Deputy Cockſedge, William Biſhop, Hurford, Reynold, Bellas, Clavey, James Sharpe, and Deputy Judd.

After which, motions were made, and carried, "That the ſaid committee be impowered to employ ſuch counſel as they ſhall think proper upon this important occaſion;" and, "That the committee be impowered to draw on the Chamber for any ſum not exceeding 500l."

At the cloſe of the debates upon the firſt motion, when the Recorder was called upon to put the queſtion, he made a ſpeech to the following purpoſe: That the motion was a ſurpriſe upon him, but that it appeared to him to be of ſuch a nature as to call upon him to offer his ſentiments to the court upon it:—That it appeared to him to have a very dangerous tendency; that it was widening a breach, which it was the duty of every honeſt man to attempt to ſtop; that if the *Locum Tenens* ſaw the queſtion in that light, he ought not to permit ſuch a queſtion to be put; that this queſtion tended to involve the Common Council, and to make them parties to a tranſaction, which he heartily wiſhed had never happened:—That no friend to the conſtitution and liberties of this country, and leaſt of all the Common Council of the city of London, who have always taken an active part in ſupport of the rights of the people, ought to wish to deprive the Houſe of Commons of powers ſo neceſſary to its exiſtence; that without ſuch powers it would be impoſſible for the Houſe to act with effect, either in its legiſlative or judicial capacity; that no act could be paſſed, no election determined, no impeachment made or proſecuted, if any commoner of this kingdom could refuſe to give his attendance upon the Houſe when called upon:—That to deny the Houſe a power of compelling an attendance by arreſt if neceſſary, in the caſe of contempts offered to the Houſe, or to deny the Houſe the power of determining what is a contempt offered to it, was denying to the Houſe of Commons the privilege of the loweſt court of record in this kingdom; a privilege abſolutely neceſſary to enable the Houſe to ſupport its dignity, and to maintain the rank and influence it had acquired in the ſtate:—That the arming the Houſe with theſe privileges had created a balance againſt the power of the crown, and the other branch of the legiſlature, in favour of the people, and had made the Houſe of Commons the bulwark of the people's liberties; that the robbing it of them would be robbing it of all its conſequence, and reducing it to be (what ſome have affected to ſuppoſe it to be) the inſtrument of deſpotiſm:—That he was of opinion, that the power of the Houſe of Commons to arreſt and commit for contempts, ſtood upon the cleareſt foundation of law and uſage; that what had been done in oppoſition to it was wholly unprecedented; that it would be difficult to palliate the act, in as much as it could not be the duty of a mayor or a juſtice of the peace to interrupt the execution of the proceſs of any court, much leſs of a Houſe of Parliament:—That to thank the authors of that meaſure, was to adopt it, and was adding contempt to contempt:—That it could produce no poſſible good effect; that it might involve the City in a controverſy of a very ſerious nature with

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the Houſe of Commons, and might endanger the public peace: and therefore he adviſed the *Locum Tenens* not to ſuffer the queſtion to be put.

Mr George Bellas anſwered the Recorder, by obſerving, that, when the queſtion was put, he would ſee by the numbers what weight his arguments had with the court.

The *Locum Tenens* inclining to have the queſtion put, the Recorder withdrew. After ſome time he was ſent to, and informed, that his attendance was required in the court. When he came into the court, he was informed from the chair, that he was deſired to put the queſtion; and it was at firſt inſiſted upon with ſome warmth, that the queſtion ſhould be put by the Recorder; but after ſome debate, it was propoſed, that if the Recorder would deſire the court to excuſe him, and ſay that he would put the queſtion i the court inſiſted upon it, he might then be excuſed.

The Recorder ſaid, It might eaſily be ſeen from his withdrawing, that he wiſhed to avoid putting the queſtion, and did not wiſh to involve himſelf in a diſpute with the court of Common Council: That it had been his misfortune to have been engaged in one altercation with the court [xxxii. 537.], which he hoped would be the laſt; that in that inſtance he had acted upon a principle which had ſatisfied his own mind; that he ſhould continue to act upon the ſame principle, but that his wiſhes were to co-operate with the court upon all occaſions, while he continued an officer of the city:—That after having adviſed the *Locum Tenens* not to put the queſtion, it could not be thought extraordinary that he himſelf ſhould deſire to be excuſed from putting it:—That he was ready to ſay ſo much, and that he hoped he ſhould be preſſed no further.

The court appeared to be ſatisfied with this declaration, and ſo that matter ended. The Recorder withdrew before the queſtion was put.

To return now to the Houſe:

On Friday, March 22. the ſeveral orders of the day being read, for taking into further conſideration the evidence which, upon the Monday preceding, was given to the Houſe, by the deputy ſerjeant at arms; and for the attendance of Braſs Croſby, Eſq; Lord Mayor of the city of London in his place; Mr Speaker acquainted the Houſe, that he had received a letter from his Lordſhip, deſiring him to inform the Houſe, that his late attendance upon the Houſe had increaſed his diſorder; that he was at preſent unable to go abroad; but would attend in his place as ſoon as his health would permit. The letter was read. Then the conſideration of the affair was adjourned till the Monday after; the Lord Mayor was ordered then to attend in his place, if his health would permit, and be at liberty to be heard by his counſel.

Ald. Oliver attending in his place, ſaid, he was ready, immediately, to enter into his defence; but that being a magiſtrate of London, he did not wiſh to ſeparate his intereſts from thoſe of the city, and therefore was deſirous not to ſeparate his defence. A motion was made for his attendance on Monday; and, after an interruption, by a motion to adjourn, which paſſed in the negative, he was ordered to attend on Monday.

A little before two o'clock of Monday, March 25. the Lord Mayor, and Ald. Oliver, accompanied by the committee of the common council, ſet out from the Manſion-houſe for the Houſe of Commons. They were attended by a great concourſe of people. The populace attemped once in the way to unharneſs the Lord Mayor's horſes, and to draw the coach along; but were diſſuaded from it. When his Lordſhip alighted, he was ſupported to the Houſe by three gentlemen. His feet, legs, and thighs, were wrapped up in flannel, as they had been before; and, from the very feeble ſtate he ſeemed in, and the pain he appeared to ſuffer, he raiſed in every one the moſt acute ſenſations of pity, and at the ſame time extorted their applauſe. Ald. Oliver was likewiſe greatly applauded. Many in the croud had labels in their hats, with the words, *Croſby, Wilkes, Oliver, and the Liberty of the Preſs*. Moſt of the people ſtood in the avenues to the Houſe, applauding the patriotic members, and inſulting the court-members, as they paſſed. Among the latter were Ld N—— and Sir R—t L——e. One gentleman, who was unluckily taken for Col. O——w, had like to have met with very diſagreeable treatment; but happily the miſtake was cleared up before any ill conſequences enſued. Among the perſons who were hiſſed very much was Mr S——n; who ſeemed inclined to brave it; and though he

he was set down from his carriage at the door of the new passage, he walked round the east side of Palace-yard to the door which leads to the House of Lords. Another gentleman was with him, and the mob followed them with the loudest marks of disapprobation. Mr S——n seemed very much irritated, and the other person much afraid; but they continued walking on till they came near the passage-door to the House of Lords; when Mr S——n turned round, and asked the people why they hissed, and what they wanted; while his friend very nimbly ran into the passage. The people still pressing on Mr S—n, and continuing their hissing, he endeavoured to seize some of those nearest him, which made them retreat a little; but upon his making to the passage, they again followed him, and he then spoke to one of the marshal's men in waiting to assist him in the apprehending some of them. Mr S——n then advanced among the people, and took hold of a little fellow by the collar, and shaking him, demanded the reason of his behaviour; and leaving his hold, gave him a blow; which the little fellow not relishing, paid Mr S——n in his own coin twofold; for, to speak in the man's own language, he "lent him a couple of good clouts;" and the rest of the mob encouraging the man to proceed, Mr S——n thought it most prudent to retreat into the passage to the House of Lords, and got away. About eleven o'clock the Lord Mayor left the House. On his return, the populace took the horses from his coach, and drew him to the Mansion-house.—This is taken from the news-papers; and the writer's manner discovers which side he most favoured.—We now come to the proceedings this day in the House.

The order for the attendance of Mr Wilkes being read, was ordered to be postponed.

The orders for the attendance of the Lord Mayor, and Ald. Oliver, in their places, being read, the Lord Mayor attending accordingly, acquainted the House, that he had received the resolution of Friday, allowing him liberty to be heard by his counsel upon all such points as do not controvert the privileges of the House; but that finding the counsel were, by that resolution, restrained from speaking to many points material to his defence, and that the counsel he could depend upon, and whom he wished to employ, were on the circuit, he therefore would not give the House the trouble of hearing counsel on this occasion.

Then the evidence given the Monday preceding by the deputy serjeant at arms, the minutes of what the Lord Mayor had on Tuesday offered in his defence, the original charter granted to the city March 6. 1° Edw. III. and the oaths taken by an Alderman and by the Lord Mayor of London*, were read; and the Lord Mayor was further heard.

After

* [In the papers of March 18. appeared five extracts, viz.

Aldermens oath.] Ye shall swear, that —— the lands and franchises of the city ye shall keep and maintain, within the city and without, after your wit and power.

Magna Charta, ch. 9.] *Civitas London habeat omnes libertates suas antiquas et consuetudines suas.* "The city of London shall have all the old liberties and customs which it hath been used to have.

Charter of K. Edward III in 1327, with consent of parliament, to the city of London.] No summons, attachment, or executions, be made by any of the officers of us or our heirs, by writ or without writ, within the liberty of the said city, *but only by ministers of the said city.*

Charter of K. Edward IV. in 1460.] The same Mayor and Commonalty and Citizens, and their successors, shall have, in the said town, the execution of all manner of writs, commandments, precepts, extracts, and warrants, with the return of the same, *by such* THEIR *minister or deputy whom they shall thereunto use.*

2° *Gul. & Mar. 1690, cap. 8.*] Enacted, That the Mayor and Commonalty and Citizens of the city of London shall, and may, for ever hereafter, remain, continue, and be, and prescribe to be, a body corporate and politic, *in re, facto, et nomine*, by the name of *Mayor and Commonalty and Citizens of the city of London*, and by that name, and all and every other name and names of incorporation by which they at any time before the said judgement were incorporated, to sue, plead, and be impleaded, and to answer, and to be answered, *without any seizure or forejudger of the said franchise, liberty, and privilege, or being thereof excluded or ousted, for or upon any pretence of any forfeiture or misdemeanor, at any time heretofore, or* HEREAFTER, TO BE DONE, *committed, or suffered*; and the said Mayor and Commonalty and Citizens of the said city shall and may, as by law they ought, peaceably *have and enjoy all and every their rights, gifts, charters, grants, liberties, privileges, franchises, customs, usages,*

After which a motion was made, and the queſtion being propoſed, "That the diſcharging out of the cuſtody of one of the meſſengers of this Houſe, J. Miller, (for whom the news-paper, intitled, "*The London Evening Poſt*, from Thurſday, March 7. to Saturday, March 9. 1771," purports to be printed, and of which paper a complaint was made in the Houſe of Commons on the 12th day of this inſtant March, and who, for his contempt, in not obeying the order of this Houſe, for his attendance on the Houſe upon Thurſday the 14th day of this inſtant March, was ordered to be taken into the cuſtody of the ſerjeant at arms or his deputy, attending this Houſe; and who, by virtue of the Speaker's warrant iſſued under the ſaid order, had been taken into the cuſtody of the ſaid meſſenger), is a breach of the privilege of this Houſe?"

And the previous queſtion being propoſed, That the queſtion be now put?

Eleven motions were ſucceſſively made; in conſequence of which, ſeveral reſolutions, &c. of the Houſe, and an act of parliament, were read. We inſert them in the order in which the motions were made, viz.

1. Two reſolutions of Feb. 26. 1728, on a petition of Robert Raikes, of Glouceſter, ſtationer and printer, both *nem. con.* already inſerted. [130.]

2. Five reſolutions of Feb. 26. 1701, as agreed to, upon report from a committee of the whole Houſe, to whom it was referred to conſider of the rights, liberties, and privileges of the Houſe of Commons, viz. "1. That to aſſert, that the Houſe of Commons is not the only repreſentatives of the Commons of England, tends to the ſubverſion of the rights and privileges of the Houſe of Commons, and the fundamental conſtitution of the government of this kingdom. 2. That to aſſert, that the Houſe of Commons have no power of commitment but of their own members, tends to the ſubverſion of the conſtitution of the Houſe of Commons. 3. That to print or publiſh any books or libels reflecting upon the proceedings of the Houſe of Commons, or any member thereof, for or relating to his ſervice therein, is a high violation of the rights and privileges of the Houſe of Commons. 4. That it is the undoubted right of the people of England, to petition or addreſs the King, for the calling, ſitting, or diſſolving, of parliaments, and for the redreſſing of grievances. 5. That it is the undoubted right of every ſubject of England, under any accuſation, either by impeachment or otherwiſe, to be brought to a ſpeedy trial, in order to be acquitted or condemned."

3. Two reſolutions of Jan. 23. 1722, in relation to a complaint of the proceedings of the Houſe being frequently printed in news letters and papers, viz. "1. That no news-writers do preſume, in their letters or other papers that they diſperſe, as minutes, or under any other denomination, to intermeddle with the debates, or any other proceedings, of this Houſe. 2. That no printer or publiſher of any printed news-papers do preſume to inſert in any ſuch papers, any debates, or any other proceedings, of this Houſe, or any committee thereof."

4. An act 13° Car. II. *for ſafety and preſervation of his Majeſty's perſon and government againſt treaſonable and ſeditious practices and attempts.*

5. The entry in the journal of the Houſe of July 13. 1641, of the report made from a committee appointed to conſider of the printing of the Lord Digby's ſpeech, concerning the bill of attainder of the late Earl of Strafford, viz. "That no member of this Houſe ſhall either give a copy, or publiſh in print, any thing that he ſhall ſpeak here, without leave of the Houſe."

6. The entry in the journal of the Houſe of Feb. 11. 1695, of the order then made, viz. "That no news letter-writers do, in their letters, or other papers that they diſperſe, preſume to intermeddle with the debates, or any other proceedings, of this Houſe."

7. The reſolution of April 13. 1738, in relation to a complaint made to the Houſe, of the publiſhers of ſeveral written and printed news letters and papers, viz. "That it is an high indignity to, and a notorious breach of the privilege of, this Houſe, for any news-writer, in letters, or other papers, (as minutes, or under any other denomination), or for any printer or publiſher of any printed news-paper,

conſtitutions, preſcriptions, immunities, markets, duties, tolls, lands, tenements, eſtates, and hereditaments whatſoever, which they lawfully had, or had lawful right, title or intereſt of, in, or to, at the time of the recording or giving the ſaid judgement, or at the time or times of the ſaid pretended forfeitures.]

news-paper, of any denomination, to preſume to inſert in the ſaid letters or papers, or to give therein, any account of the debates, or other proceedings of this Houſe, or any committee thereof, as well during the receſs, as the ſitting of parliament; and that this Houſe will proceed with the utmoſt ſeverity againſt ſuch offenders."

8. The reſolution of Nov. 24. 1763, relating to the privilege of parliament, in the caſe of ſeditious libels, already inſerted. [xxv. 630.]

9. The reſolution of Feb. 3. 1769, relating to the expulſion of John Wilkes, Eſq; then a member of the Houſe, viz. "That John Wilkes, Eſq; a member of this Houſe, who hath, at the bar of this Houſe, confeſſed himſelf to be the author and publiſher of what this Houſe hath reſolved to be an inſolent, ſcandalous, and ſeditious libel, and who has been convicted, in the court of king's-bench, of having printed and publiſhed a ſeditious libel, and three obſcene and impious libels, and by the judgement of the ſaid court has been ſentenced to undergo twenty-two months impriſonment, and is now in execution under the ſaid judgement, be expelled this Houſe." [xxxi. 339.]

10. The entry in the journal of the Houſe of July 19. 1689, of two reſolutions and two orders, relating to the caſe of Sir Francis Pemberton and Sir Thomas Jones, viz. "Reſolved, 1. That Sir Francis Pemberton, giving judgement to over-rule the plea to the juriſdiction of the court of king's-bench, in the caſe between Jay and Topham, has broken the privileges of this Houſe. 2. That Sir Thomas Jones, giving judgement to over-rule, &c. [verbatim as in the preceding reſolution.]—Ordered, 1. That Sir Francis Pemberton be taken into cuſtody of the ſerjeant at arms attending this Houſe, for his breach of the privileges of this Houſe, in giving judgement to over-rule the plea to the juriſdiction of the court of king's-bench, in the caſe between Jay and Topham. 2. That Sir Thomas Jones be taken into cuſtody, &c. [verbatim as in the preceding order.]"

11. The entry in the journal of the Houſe of July 6. 1689, "That a bill be brought in, to reverſe the judgement againſt John Topham, and for ſettling the rights and privileges of parliament for the future."

Here the proceedings were interrupted, by information, that there was a tumultuous croud in Palace-yard, and in the paſſages leading to the Houſe, who interrupted members in coming to the Houſe. The high conſtable of Weſtminſter being called in, acquainted the Houſe, that he had done every thing in his power to diſperſe them, with the aſſiſtance of a great number of conſtables, but that all his endeavours had been in vain. On motion, an entry in the Journal, of Feb. 27. 1699, in relation to ſuch a croud then got together, was read. Several juſtices of the peace of Middleſex and Weſtminſter attending, Mr Speaker, by order, acquainted them, that the Houſe did expect, that they, with the other magiſtrates then ſitting at the Guildhall of Weſtminſter, would forthwith do every thing in their power to diſperſe the croud. They then withdrew; and after ſome time returned, and acquainted the Houſe, that they had in a great meaſure diſperſed the croud, but that there was ſtill a great croud in the court of requeſts. Mr Speaker directed them ſtill to attend, and to continue to uſe their endeavours to keep every thing quiet.

The Lord Mayor then acquainting the Houſe, that he found himſelf extremely ill, and therefore hoped the Houſe would diſpenſe with his further attendance at preſent, but hoped the matter might go on in his abſence, and that he ſhould ſubmit himſelf to every thing the Houſe ſhould do, his Lordſhip, with leave of the Houſe, withdrew.

Then the previous queſtion being put, That the firſt propoſed queſtion be now put? it was reſolved in the affirmative. Then the main queſtion being put, it was reſolved, 1. That the diſcharging, &c. [verbatim as in the queſtion]. 2. That the ſigning a warrant againſt the ſaid meſſenger for having executed the ſaid warrant of the Speaker, is a breach of the privilege of this Houſe. 3. That the holding the ſaid meſſenger to bail, for having executed the ſaid warrant of the Speaker, is a breach of the privilege of this Houſe. It was then ordered, that the Lord Mayor ſhould attend in his place upon the Wedneſday morning after, if his health would then permit.

A motion was then made to adjourn; but the queſtion being put, paſſed in the negative, 214 to 97.

Mr Ald. Oliver attending in his place,

it being propoſed to him, that the evidence given by the deputy ſerjeant at arms upon the Monday preceding ſhould be again read, he acquainted the Houſe, that he did not deſire the evidence to be read again, or any witneſs to be called, and that he ſhould not ſay any thing in his defence. Then a motion was made; and the queſtion being put, it was reſolved, 138 to 83, "That Richard Oliver, Eſq; a member of this Houſe, having ſigned a warrant for the commitment of the meſſenger of this Houſe, for having executed the warrant of the Speaker, iſſued under an order of this Houſe, and having held the ſaid meſſenger to bail, is guilty of a breach of the privilege of this houſe." And it was ordered, that Mr Oliver ſhould be, for his ſaid offence, committed to the tower, and that Mr Speaker ſhould iſſue his warrants accordingly. — It was about three o'clock of Thurſday morning ere the affair was ended. Mr Oliver was indulged to lie at his own houſe; whither the deputy ſerjeant at arms attended him, and between ſeven and eight carried him in a coach to the tower. He had liberty to walk about; and he was ſoon viſited by his friends, and ſeveral members of both Houſes. — According to the papers, before it was determined to commit Mr Oliver, Lord North begged he would make ſome apology; any apology, his Lordſhip ſaid, would be received; which, however, he would not comply with: and Sir John Griffin moved an amendment, to leave out the words, *committed to the tower*, and inſert, *reprimanded in his place*; which obliged the members who thought Mr Oliver had done right to go away, as, if they voted againſt the commitment, they admitted the reprimand.

Before the Houſe roſe, Mr Wilkes was ordered to attend on Monday, the 8th of April.

About ten o'clock of Tueſday night, March 26. a man went to the Manſion-houſe; and being admitted, aſked if his Lordſhip went to the Houſe the next day. When he was anſwered in the affirmative, he ſaid, he came from the fields, and that he belonged to a large body, who were ready to aſſiſt his Lordſhip if required. He was aſked, what fields; he replied, Spital-fields. Being told, that the Lord Mayor did not mean to encourage a mob, and being urged not to attempt any thing of that kind, he went away ſeemingly diſſatisfied; ſaying, that they would, notwithſtanding, wait on his Lordſhip, and ſee that no violence ſhould be offered him.

Next day, between one and two o'clock, the Lord Mayor ſet out from the Manſion-houſe, accompanied by the committee, and again attended by a vaſt concourſe of people. His Lordſhip ſeemed extremely ill, was wrapped in flannel, as formerly, and his friends ſupported him from his carriage to the Houſe. The mob were rude to ſeveral of the court-members. Lord North was very much inſulted, the glaſſes of his chariot broke, his wriſt cut, and his hat taken from him, and torn to pieces. Meſſ. Fox, Hans Stanley, and others, were likewiſe greatly inſulted. Several of the popular members went among the croud, and endeavoured to perſuade them to deſiſt from violence, and to diſperſe quietly, among whom were the ſheriffs, Meſſ. G. Saville, Townſend, Sawbridge, Whitworth, and the two Burkes. — We now proceed to what paſſed this day within doors.

On Wedneſday, March 27. a tumultuous croud aſſembled again, and attacked ſeveral of the members in going to the Houſe. The juſtices having got directions as on the former occaſion, withdrew, and after ſome time returned, and acquainted the Houſe, that they had endeavoured to put the orders of the Houſe in execution, and had propoſed to read the riot-act, but were prevented; and were totally unable to do any thing further towards keeping the peace. Then the Sheriffs of London, being members of the Houſe, were requeſted to go themſelves, and endeavour to diſperſe the croud. They went; and being returned, they acquainted the Houſe, that they had been among the people, and perſuaded ſeveral of them to go away; that they had directed the high conſtable to get an additional number of conſtables; that they had ſent for the under-ſheriffs, who were coming, with further aſſiſtance of the civil power; that at preſent the croud were conſiderably diſperſed, and what remained ſeemed exceedingly quiet; and that they were of opinion the Houſe needed not any longer defer proceeding on buſineſs.

Then the order of the day for the attendance of the Lord Mayor being read, and his Lordſhip attending in his place, a motion being made, "That Brafs

Croſby,

Croſby, Eſq; Lord Mayor of the city of London, having diſcharged," &c. [verbatim as in the motion relating to Ald. Oliver], the Lord Mayor withdrew. Then the queſtion being put, the Houſe reſolved in the terms of the motion. And on a further motion, the Lord Mayor having been heard in his place, it was reſolved, that his Lordſhip ſhould be, for his ſaid offence, committed to the tower; and Mr Speaker was ordered to iſſue his warrants accordingly.

It was then ordered, That a committee ſhould be appointed, to examine into the ſeveral facts and circumſtances relative to the late obſtructions to the execution of the orders of the Houſe; and to conſider what further proceedings might be requiſite to inforce a due obedience thereto; and that they ſhould report their proceedings, together with their opinion, from time to time, to the Houſe; the number of the committee to be one and twenty, and to be choſen by ballot, in the uſual manner.—Next day, when the members were going to put their liſts into the glaſſes, a motion was made, to proceed to the appointment on that day three months; but the queſtion being put, paſſed in the negative. Then the liſts were put into the glaſſes, and a committee was appointed to examine the liſts.—On the 30th the committee reported, that the majority had fallen on the following perſons, viz, Rt Hon. Welbore Ellis, Mr Solicitor-General, Mr Attorney-General, Jeremiah Dyſon, Eſq; Roſe Fuller, Eſq; Rt Hon. Sir Gilbert Elliot, Bt, Sir Henry Hoghton, Bt, Sir William Bagot, Bt, Rt Hon. Hans Stanley, Sir Thomas Clavering, Bt, Robert Hendey Ongley, Eſq; Thomas De Grey, Eſq; Lord John Cavendiſh, Lord George Germain, Hon. John Yorke, Hon. Charles Marſham, the Lord Advocate of Scotland, Dr William Burrell, John Buller, of Exeter, Eſq; Sir Roger Newdigate, Bt, Frederick Montagu, Eſq; the ſaid twenty-one, or any ſeven of them, to meet that afternoon in the Speaker's chamber; and to have power to ſit notwithſtanding any adjournment of the Houſe.

On the 27th, after ordering the appointment of the aforementioned committee, it was ordered, *nem. con.* "That a committee be appointed to inquire into the cauſes and occaſions of the riots and tumults of the perſons who aſſembled on Monday laſt, yeſterday, and this day, in the avenues leading to this houſe, and attacked the perſons of the members coming to attend their duty in parliament." A committee was appointed accordingly; they had power to ſend for perſons, papers, and records; and all who ſhould come to the committee were to have voices.

The Commons ſat till about one o'clock of Thurſday morning. Between twelve and one, when the warrant of commitment was made out, the Lord Mayor, attended by Mr Clementſon, the deputy ſerjeant at arms, left the Houſe. As ſoon as they had got into the coach, the populace took the horſes from it, and drew it to the Manſion-houſe; and about four o'clock his Lordſhip was conducted to the tower.—It is ſaid in the papers, that Mr Clementſon owes his life entirely to the humanity of the Lord Mayor; for that the mob had a rope deſtined for his deſtruction, and were from time to time going to ſeize him, but abſtained at the earneſt intreaties of his Lordſhip.

At a common council held on Thurſday, March 28. it was unanimouſly reſolved, "That the thanks of this Court be given to Sir Robert Ladbroke, Kt, Barlow Trecothick, James Townſend, John Sawbridge, Eſqs, Aldermen, and to William Baker and Joſeph Martin, Eſqs, Sheriffs of this City, being Members of the Hon. Houſe of Commons, for having there ſupported the rights and privileges of their fellow-citizens, and vindicated the upright conduct of their magiſtrates."

We cloſe this article (the importance of which will, we hope, juſtify us in being full upon it) with two letters from the before-named committee to the ſuffering magiſtrates, and the anſwers.

To Mr Alderman Oliver.

SIR, The Common Council, well ſatisfied with the faithful performance of your duty as a Magiſtrate, and deſirous of giving you an early teſtimony of their approbation and gratitude, have paſſed the following reſolution:

"Trecothick Locum Tenens; Croſby Mayor.—A Common Council holden in the Chamber of the Guildhall of the City of London, on Tueſday the 26th day of March 1771.—A motion being made, and the queſtion put, That during the confinement of Mr Alderman Oliver in the Tower of London, a table be provided

vided for him at the expence of this City, under the direction and management of the Committee appointed at the laſt Court to aſſiſt the Lord Mayor and the Aldermen Wilkes and Oliver, in their defence on the charge brought againſt them by the Houſe of Commons? the ſame was unanimouſly reſolved in the affirmative, and ordered accordingly. HODGES."

In conſequence of this reſolution, we deſire your directions, that we may execute this truſt in the manner moſt agreeable to yourſelf.

We have the honour to be, with great eſteem and affection, your moſt obedient humble ſervants.

Signed for and by order of the Committee,
Guildhall, London,
March 27. 1771. HODGES.

Mr Alderman Oliver's Anſwer.

GENTLEMEN, I beg the favour of you to return my thanks to the Common Council of London, for this affectionate proof of their attention to the ſituation of one of their Magiſtrates. Though the faithful adminiſtration of juſtice, according to my oath, was the ſole motive of my conduct; yet I cannot but confeſs, that their approbation makes my duty more pleaſing. The ſatisfaction of their concurrence is, however, the only advantage I mean to receive from their reſolution: many ſtrong reaſons, both public and private, oblige me to decline the table they have provided for me; and I hope they will not be offended at my refuſal. I am happy, Gentlemen, to find, that the Common Council agree with me in thinking that an apology is due from the —— of ——, who have violated the laws, and not from the Magiſtrate, who has fulfilled them. This country has been unhappy from the moment that the preſent prevailing counſels have influenced the ——. The laſt ten years have afforded to the Citizens of London in particular, every inſtance of neglect, unkindneſs, inſult, and injury. Their petitions have been rejected, ſlighted, ridiculed; their property unjuſtly conveyed to others; their charters violated; their rights invaded; the laws contemned; their magiſtrates impriſoned. The power that conſumes us has the plaineſt and moſt odious marks of deſpotiſm;—abject abroad, and inſolent at home. Whether our rights will, in the end, be peaceably re-eſtabliſhed, or whether this violence will be purſued, is more than I can certainly declare; but this I will venture to ſay for myſelf, they muſt either change the laws or the magiſtrate; for my adherence to my duty ſhall be invariably the ſame, regardleſs of the conſequences. I am, Gentlemen, with the greateſt reſpect, your moſt obedient and faithful humble ſervant, RICHARD OLIVER.

Tower, March 29. 1771.

To the Lord Mayor.

My LORD, The Common Council, well ſatisfied with the faithful performance of your Lordſhip's duty as a Magiſtrate, and deſirous of giving you an early teſtimony of their approbation and gratitude, have paſſed the following reſolution:

"Trecothick Locum Tenens; Croſby Mayor.—A Common Council, holden in the Chamber of the Guildhall of the City of London, on Thurſday, the 28th day of March, 1771. Reſolved unanimouſly, That during the confinement of the Rt Hon. Braſs Croſby, Lord Mayor, in the Tower of London, a table be provided for him at the expence of this City, under the direction and management of the Committee appointed on the twenty-firſt inſtant to aſſiſt the Lord Mayor and the Aldermen Wilkes and Oliver, in their defence on the charge brought againſt them by the Houſe of Commons. HODGES."

In conſequence of this reſolution, we deſire your Lordſhip's directions, that we may execute this truſt in a manner moſt agreeable to yourſelf.

We have the honour to be, with great eſteem and affection, your Lordſhip's moſt obedient humble ſervants.

Signed for and by order of the Committee,
Guildhall, London,
March 29. 1771. HODGES.

The Lord Mayor's Anſwer.

Give me leave, GENTLEMEN, to intreat you to make my warmeſt acknowledgements to the Common Council, for their reſpectful and generous offer of a table to be provided for me, at the expence of this City, during my confinement in the Tower of London.

I am deeply ſenſible of this mark of their regard; and I feel, as I ought, the polite and obliging manner in which the Committee deſire to carry ſo handſome an offer of the City into execution.

I

I cannot, however, entertain the thought of any additional expence being incurred on this occaſion, perſonally on my account; and I hope that I may be allowed to decline a favour, which I ſhall never forget.

If it were poſſible that I could have been one moment deterred from a faithful diſcharge of my duty, or from defending the liberties of my fellow-citizens, and the rights of the people, the repeated proofs of eſteem and affection which I receive, would recall my attention, and determine me; but I have long ſince dedicated myſelf to their ſervice, as Citizens of London, and as Engliſhmen. I will perſevere in the defence of our excellent conſtitution, and the franchiſes granted our anceſtors, not more for the honour and proſperity of this city, than for the emolument of the whole community.

Animated with theſe ſentiments, I need not aſſure you, Gentlemen, that I am indifferent to the conſequences that may attend an honeſt zeal for the laws of my country, which ſhall ever remain my governing principle.

I am, Gentlemen, with much reſpect and gratitude, your faithful and devoted humble ſervant,

From the Tower, April 2. 1771. BRASS CROSBY.

ANECDOTE.

SOon after the Revolution, when every act had paſſed that human prudence could deviſe, to ſtrengthen the conſtitution, upon the ſtrongeſt and moſt permanent foundation, K. William thought ſomething ſtill wanting to complete the ſtructure. He accordingly ſent Lord Sommers to the leaders in adminiſtration, both Lords and Commons, requeſting they would conſider, and draw up an act, in the moſt extenſive manner they thought proper, reſpecting their own privileges. In conſequence of the meſſage, many conferences were held; but ſo jealous were both Houſes in defining what was, and what was not, proper to reduce into a record, that at laſt it was thrown out, as either impoſſible, or abſolutely improper, to be defined.

Reflections upon the preſent diſpute between the Houſe of Commons and the Magiſtrates of London.

WHile the Court of Aldermen, whoſe offices were for life, had a negative upon the reſolutions of the Common Council, men ſaw ſome chance of relief againſt their follies. But after a perſon, whom the populace of London at one time ſtyled their father, and whoſe ſtatue at another time they threatened to pull down, had, by his intereſt in parliament, got this negative aboliſhed, the ſituation of the Common Council became alarming indeed. It is very true, that the firſt liberties of modern Europe took their riſe from the cities of Europe; but it is as true, that the liberties of moſt nations have found their graves in great cities. Athens, Carthage, Rome, are ſad monuments of the laſt of theſe truths. Great cities are the natural ſeats of diſorder in the lower orders of mankind. Even the ſons of induſtry, though enemies to the vices of the others, contribute to diſorder; becauſe, being continually occupied with the objects of induſtry, they are blind to all others; and, incapable of deceit, they are eaſily deceived. Search all Europe round, and there is no where to be found ſo much mean profligacy in ſome, and ſo much generous credulity in others, as within the bills of mortality; circumſtances which enable deſigning, unquiet, ambitious ſpirits, to turn to their own advantage the crimes, the weakneſſes, and even the virtues of their fellow-citizens.

That in the Common Council there are ſuch men, who, with their friends, take ſuch advantages, the experience of ſeveral years paſt has teſtified. Becauſe they roſe into power by impoſition and confuſion, they know they can keep it only by the continuance of them. Full of envy againſt the men of ancient families and great property of this country, they wiſh to bring all mankind down to their own mean level; if they do not rather wiſh to be above all, becauſe they are beneath all. Ignorant of the ſublime ideas of conſtitutional liberty, they ſee not that it conſiſts in the ſubordination of free men to free laws; but, confounding the principles of equality with thoſe of liberty, they pave the way to the very worſt ſort of tyranny, the tyranny of the populace. Yet the intereſts of that populace they conſider not, they regard not. To their imaginations alone they pay attention, and would flatter their paſſions though it ended in their ruin. Having much reaſon themſelves to fear the laws, they wiſh to weaken them. For after ſquandering the funds of the

city

city in imprudence and extravagance, they truſt, in clamours againſt others, to drown thoſe which they expect againſt themſelves; and can hope only, in the diſgraces of the public, to make their own be overlooked. They began, with the help of their emiſſaries, by attempting to light up a civil war between two ſiſter-nations. They next endeavoured to break the bonds which tie the parent and the child, England and America, together. They then raiſed the people againſt the Parliament, by promoting addreſſes to diſſolve it. And in the end, they held up the dagger to every Engliſhman, to plunge it in another Engliſhman's breaſt, by aſſerting that the Parliament was diſſolved, and that the people had a right to diſobey the laws which it made. Every diſorder accompanied and followed ſuch attempts. One of their number declared, in full Parliament, that he would not pay the King's taxes; although willing to draw others into danger, he afterwards ſhrunk from it himſelf. Another ſchooled his Sovereign in public, though his attendants, like owls brought into the light of the ſun, ſhewed modeſty, for once, in the preſence of a King of England [xxxii. 237.]. With an affected decency, when their remonſtrance was preſented, they cauſed a mob of only a few hundreds to follow it to the gates of the Palace; but with an inſolent diſplay of their power, they, a few days after, brought out a hundred thouſand people to ſhout at their feaſt [xxxii. 161.]; a contrivance, intended, by the contraſt, to mark the more ſtrongly to all, that the mob which they could raiſe they could command. When the great Merchants of this great City went in proceſſion, with the ſplendor of Princes, to pour out their ſentiments of loyalty and confidence at the foot of the throne, their coaches were broken, their perſons inſulted, and ſome of their lives brought into danger [xxxi. 215.]. To diſtreſs a miniſter, the men I complain of, ſcrupled not to diſtreſs their country; for they urged her to a naval war, and yet took from her the means of defence, by checking the power of preſſing ſeamen [52. xxxii. 625, 52.]; betraying thus the government and the nation, under the pretence of befriending the people. They oppoſed in parliament an undertaking calculated for the conveniency and embelliſhment of that city they repreſent, the *emporium totius Europæ*, merely becauſe the proprietors happened to be Scotchmen. Theſe men have now finiſhed their career, by refuſing obedience to the orders of one of the Houſes of Parliament, and ordering the meſſenger who brought them, to be ſent to a gaol. *April* 15.

SIR, *London, April* 23.

HAving bought a barometer, I was naturally led to conſider the various alterations which the change of the weather makes on the altitude of the quickſilver in the tube; and finding that the air's preſſure is greateſt in fair weather, (when we ſhould leaſt ſuſpect it), I found myſelf unable to explain the phænomenon. This of courſe induced me to purſue the ſubject with deliberation; and the following ſuggeſtions were the reſult of my purſuit. By giving them a place, you will much oblige a conſtant reader; becauſe, if his imagination has miſled him, he may expect correction from ſome of your correſpondents, whoſe abilities are far more capable of enlightening the ſubject.

PHILO-PHYSEOS.

An attempt to account for the ſuperior gravity of the air in fair weather.

THE atmoſphere is conſtantly attracting water from the earth, but cannot unite with more than a certain quantity; when therefore it is perfectly ſaturated, the ſuperfluous particles, in conſequence of their ſuperior gravity, return to the earth in form of rain, ſnow, or hail.—And as we may very juſtly ſuppoſe, that this ſuperfluous quantity will generate a degree of cold, the air will not ſaturate ſo much as when unencumbered with them, (heat being proved by chymiſtry to be a great aſſiſtant to the ſolution), it will of courſe be lighter than in fair weather.

Further, as this abſorption of water is conſtantly going on, the atmoſphere will conſequently become in proportion heavier; hence therefore we may account for the riſing of the quickſilver in the barometer in proportion to the duration of the fair weather.

Laſtly, in fair weather many extraneous bodies float in the air, which by rain are carried to the ground. Theſe alſo tend to increaſe its preſſure, and of courſe make for the above argument.

From this doctrine it will appear, why heavier ſhowers fall in ſummer than in winter;

winter; for the greater heat of the ſeaſon enables the air to ſaturate more water, which however, in conſequence of the continual abſorption, at length preponderating, returns to the earth in heavier ſhowers, in proportion to the difference of the quantity abſorbed beyond the uſual point of ſaturation. Now this abſorption being greateſt in ſummer, and the ſuperfluity generating a degree of cold in proportion to its quantity, a greater portion will be diſcharged, and heavier rains of courſe will follow.

Now the ſame argument which explains the cauſe of heavier ſhowers in ſummer, will equally account for their being leſs frequent in that ſeaſon, becauſe the increaſed heat increaſing proportionally the ſaturating power, a greater quantity will be retained in the atmoſphere.

Hence it will appear, that the air is lighter after a ſhower of rain, than in a continuance of fair weather; ſince its gravity increaſes in proportion to the abſorption, and the air is then diſburthened of the ſuperfluous portion, even below the ſaturating power, in conſequence of the cold thereby generated.

The changes of the quickſilver in the barometer exactly correſpond with theſe obſervations; I hope therefore that the theory will be found admiſſible.

Mr URBAN, *April* 1771.

I ſend you the following remarkable caſe, in hopes that ſome of your Medical correſpondents will take the trouble of conſidering, and giving their opinion upon it. W. E.

A Young man, by trade a gardener, of the age of twenty-two years, has been for ſeven years paſt, at every change of the moon, afflicted with a moſt violent head-ach, which entirely deſtroys his appetite, deprives him of reſt, and renders him totally incapable of following his buſineſs.—He expects the return of his diſorder about twenty-four hours before the change, from which time, till the change, the pain, and the ill conſequences attending it, increaſe, then gradually decreaſe, and about ſun-ſet of the ſecond day after, he finds himſelf perfectly recovered.—He has frequently bathed in the ſea, and taken vaſt quantities of phyſic, without the leaſt good effect, as he thinks every return of his diſorder is more violent than the former.—He is, at all other times, extremely hearty, and of a healthy appearance.

Mr URBAN, *Leeds, May* 18.

HAving been much afflicted with an obſtinate head-ach, from which I feared I ſhould find no deliverance, and being now greatly relieved of that troubleſome complaint; I felt more compaſſion for the young man mentioned in your laſt month's Magazine, than would probably have been excited by the recital of another caſe equally troubleſome.

My compaſſion for him has made me venture to give my opinion upon his caſe, and to offer a hint for his relief.

If the caſe is fairly ſtated, and no material circumſtances concealed, I ſhould apprehend the diſorder to ariſe from a partial plethora; and would recommend the following method of cure.

Let his diet be very temperate both in quantity and quality: let no liquor be drunk ſtronger than mild table-beer, of a good age, and well hopped; it would probably be ſtill better to drink only water to his victuals: let him eat no fleſh meat but at dinner; let his breakfaſt and ſupper be of milk, or water-gruel. Let his belly be kept gently open by ſome mild purgative taken occaſionally at bed-time. Let his head be kept cool: if he wears his own hair, let it be always cut thin; if a wig, let his head be ſhaved all over twice a-week. I would adviſe him not to bathe his body, but to waſh his head and neck every morning with the coldeſt water he can procure. Let him wear nothing tight or very warm about his neck, and in the night always ſleep with the collar of his ſhirt unbuttoned. Let him frequently waſh his feet in water, new-milk warm, and wear warm ſtockings. And at every approach of his head-ach, let him apply about ſix leeches to his temples, or behind his ears, a day or two before the uſual beginning of the paroxyſm. During the fit he may keep his feet in warm water about half an hour, three times a-day. In this method he ſhould perſevere for ſix months at leaſt, before he lays it aſide; taking no medicines, except the aperient occaſionally, during this courſe.

If theſe hints be judged worth notice, I ſincerely wiſh the young man all imaginable ſucceſs; and ſhould be glad to know the reſult in ſome future Magazine.——Yours, &c. W. H. CHIR.

DEBATES of a POLITICAL CLUB, continued. [176.]

IN the debate upon the motion for committing Ald. Oliver, when Fabius Maximus (Sir G. S.) concluded his ſpeech, Curius Camillus (Mr Serj. G—n) defended the conduct of the city-magiſtrates upon the principles of law, thus.

"Mr Preſident, Sir,

THE preſent object of our conſideration is extremely important: it is a diſpute between the people and their repreſentatives; between the privileges of this Houſe, and the eſtabliſhed law of the land. I do not deny, Sir, that the law of parliament conſtitutes a part of the law of the land: but then, when the privilege of parliament is repugnant to the known *lex terræ*, to the obvious principles of the conſtitution, in that caſe I confidently decide for the ſupremacy of the latter; and inſiſt, that the immemorial acquieſcence of ages, or the joint act of the *three* eſtates, muſt be neceſſarily ſuperior to the private reſolution of any ſingle branch of the legiſlative authority.

It is upon this principle, that the votes of this Houſe are never put into competition with the writs of the crown. No court is bound to take notice of our votes: on the contrary, the judges are bound not to take notice of them, but to act in conformity to the laws; they are ſworn to do juſtice without any attention whatever to the privy ſeal, or the great ſeal; and, conſequently, if they are thus conſtitutionally placed above the commands of the head, they are placed above the reſolutions of the loweſt eſtate in parliament.

Was parliamentary privilege to be once indulged with a ſuperiority over the law, an Engliſhman would be as inſecure in his liberty as the ſlaves of the Mogul; becauſe the votes of each houſe might often be inconſiſtent; and becauſe the two houſes might differ in opinion as frequently hereafter, as they have heretofore differed, upon great conſtitutional queſtions. In caſes of ſuch a kind, what line of conduct would be left for the judge? The Lords might declare privilege extended to matters where the Commons denied its exiſtence; and the Commons, on the other hand, might aſſert, what was as peremptorily denied by the Lords. In a caſe of that kind let me again aſk, how the judge could poſſibly adminiſter the law? Both opinions would be equally binding, and the principles of juſtice would be neceſſarily deſtroyed by a contradictory power that deſtroyed the principles of common underſtanding. This was the reaſoning of my Lord Somers, Mr Preſident, and of all the patriots who effected the Revolution; and the inference is obvious, that the law ſhould pay no regard to the reſolutions of either Houſe. For what purpoſe, Sir, are laws eſtabliſhed to regulate the deciſions of magiſtrates, if it is criminal to execute theſe laws? Every juſtice of peace, every alderman of London, and particularly the Lord Mayor, is occaſionally a judge; and he is notoriouſly puniſhable, if, in the commitment of any offender, he deviates from the law of the land. He is beſides guilty of perjury, if he does not act according to the ſpirit of his oath; now, Sir, admitting that magiſtrates had complaiſance enough to be guilty of perjury when you think proper to command them, who, pray, will enter into offices of magiſtracy, under the predicament at this moment eſtabliſhing by the repreſentatives of the people? Who will enter, when they are to be puniſhed equally for executing or non-executing the laws; when the neglect of their duty expoſes them to a proſecution from individuals, and the performance calls all the thunder of parliamentary indignation upon their heads?

It is ridiculous to ſay, that the magiſtrate muſt not meddle with your privileges, Mr Preſident, when the law, of which he is only the executive miniſter, takes no notice of them.—If we are the only judges of our own privileges, how is the magiſtrate to know what they are? In this caſe, to keep him from offending, we ſhould aboliſh the laws at once, and make our own reſolutions the ſole line of judicial rectitude. Yet, ſuppoſe, for argument's ſake, that the King, when his proclamation for apprehending Wheble and Thomſon was diſregarded by the city-magiſtrates, had proceeded to the violent lengths which we are now proceeding, and had ſent the magiſtrates to the Tower: is there a thinking man in England who would not have felt for the freedom of his country? is there a thinking man in England, who would not have deemed the meaſure a violent attack upon his liberty? If then ſuch a meaſure taken by the crown, would be held highly injurious to the conſtitution,

why

why ſhould it not be held equally injurious when taken by this Houſe? The prerogative of the crown is as ſacred as our privileges; if we have a right to puniſh for a contempt of the one, the crown has a right to puniſh for a contempt of the other. In laying the whole nation therefore at our own mercy, we lay it at the mercy of the crown. In our own tyranny, we eſtabliſh the tyranny of the throne; and while we claim a power of trampling upon *Magna Charta*, hold out a bleſſed example for imitation to our ſovereign.

The diſcretionary powers of prerogative and privilege, Mr Preſident, were firſt granted by the people for purpoſes of public good, and become conſtitutionally annihilated in the moment of their perverſion. To abuſe, is to deſtroy them; and nothing but neceſſity could make the puniſhment of contempts, even in courts of law, warrantable. Contempts in court ſtrike the immediate exiſtence of juſtice: hence the courts of law are inveſted with a power of puniſhing them with inſtant ſeverity, though making the offended party judge and executioner was manifeſtly repugnant to the ſpirit of our conſtitution. But the neceſſity which operates for an authority of this kind in the law-courts, does not operate for lodging it with us. Our exiſtence is not endangered by a contempt, nor the adminiſtration of juſtice rendered precarious by a delay of the puniſhment. No, Sir; the puniſhment gains weight by the delay; the laws become doubly tremendous when appealed to by a branch of the legiſlature; and we become doubly reſpectable in the eyes of our conſtituents, when our reſentments are regulated by the acknowledged principles of legality.

It is urged with great plauſibility, Mr Preſident, that without the power of impriſoning at diſcretion, all parliamentary privilege muſt neceſſarily be loſt. But, in anſwer to this, give me leave to obſerve, that the crown poſſeſſes no power of this kind, and yet there is no fear of any diminution in the royal prerogative; the greateſt corporations in the kingdom claim no ſuch juriſdiction, and yet their authority is never impeached; whenever they have a reaſonable cauſe of complaint, the laws of their country are open to grant redreſs, and few are weak enough, or wicked enough, to expoſe themſelves voluntarily to judicial proſecutions.

I am ſenſible, Mr Preſident, that great weight is laid upon the power of a Houſe of Commons, becauſe it is the grand inqueſt of the kingdom: yet here, Sir, the caſuiſts for parliamentary omnipotence are as indefenſible as in any other arguments; for the buſineſs of an inqueſt is, to *preſent*, not to *puniſh*; to *complain*, not to *decide*; and we ceaſe to be an inqueſt the moment we claim a right of judicial determination.

Upon the whole, Sir, if the prerogative of the crown is not equal to the privileges of parliament, there is an end of our conſtitution, which makes it the head of the legiſlature; now the crown poſſeſſes no power of diſcretionary impriſonment; and this houſe, in exerciſing an authority ſuperior to the royal, deſtroys that equality of the three eſtates upon which our anceſtors have founded the liberties of England."

Mr Serjeant G—— having ended here, Lucillus Lena (Alderman T—d) expreſſed himſelf in the following manner.

" Mr Preſident, Sir,

I have attended with great patience to the arguments advanced in favour of the preſent motion for ſending the Lord Mayor and Mr Oliver to the Tower; but they have rouſed my indignation, inſtead of convincing my judgement; and I fancy, if ſomething more perſuaſive than words had not been uſed, even to the friends of the meaſure propoſed, they would have as little to boaſt of their political rectitude. If ſomething more than words had not been uſed with theſe gentlemen, Mr Preſident, is it to be ſuppoſed, that they would have ever juſtified the violation of the city-charters, or contended for the propriety of eraſing the records judicially inſerted in the mayor's book [238.]; by which they have not only impeded, but entirely prevented the operation of the laws? It is indeed ſaid, Sir, that the Houſe of Commons upon former occaſions has exerciſed an equal degree of deſpotiſm. Yet, for my own part, I cannot think the precedent of one tyranny a ſufficient vindication of another. No precedents ſhould ever be mentioned as authoriſed, that are not evidently good, evidently for the intereſt of the people. In Charles II.'s time the gentlemen pretend, that the venality of the then, is to ſanctify the corruption of the preſent Houſe. To the diſgrace of our journals, Mr Preſident, they contain many precedents

highly injurious to the principles of freedom, highly injurious to the eſtabliſhed conſtitution of the kingdom. In fact our journals are ſo diſcordant, and ſo contradictory, that, embrace which ſide you pleaſe of any queſtion, precedents will not be wanting to ſupport it. Men of principle, however, will not ſuppoſe, that the cobwebs of antiquity can poſſibly annihilate the criminality of a pernicious example. What is in its nature wrong, as a celebrated writer very properly obſerves, no words can palliate, no plea can alter. Let us then hear no more of precedents in defence of injuſtice. General warrants had innumerable precedents to plead, if the length of their exiſtence was to be urged in ſupport of their legality; yet we all know their fate: appearing contrary to law, they were wiſely aboliſhed; and the miniſter by whom they were laſt iſſued, was puniſhed in an exemplary manner for his temerity. [xxxi. 562.]

The gentlemen who inſiſt ſo much upon the ſanctity of precedents, Sir, argue with a very bad grace in defence of preſcriptive uſage, when they themſelves have concurred in aboliſhing many ancient cuſtoms, particularly parliamentary privilege in caſes of debt, in caſes of libels; and when they know that poſitive acts of parliament are repealed, if found repugnant to the welfare of the kingdom. *Salus populi ſuprema lex eſt*, was long the motto of the Roman republic; and ſhould be the grand principle of government in every ſenſible nation. Unhappily, however, we cannot ſay that it is the grand principle of our own, though few kingdoms, with pride I affirm it, can boaſt a greater ſhare of public information.

Many who ſupport the motion now before the chair, are more aſſiduous to pleaſe the wantonneſs of female caprice, than to anſwer the expectations of their conſtituents: inſtead of gaining the eſteem of their country, they are only ſolicitous to gratify the ambitious views of one aſpiring woman; who, to the diſhonour of the Britiſh name, is well known to direct the operations of our deſpicable miniſters. Does any gentleman wiſh to know what woman I allude to? If he does, I will tell him: It is to the P— d— of W—. I am not afraid to ſpeak out;—nor deſirous of ſacrificing my honeſt opinion at the altar of a ridiculous delicacy. This is not a time for courtly harangues, or polite palliations. The happineſs of the ſtate is at ſtake, and ſilence in ſuch a ſituation would be treaſon. I therefore aver, that we have been governed ten years by a woman.—It is not the ſex, Mr Preſident, I object to, but the government: were we well ruled, the ruler would be an object of little ſignification. Common ſenſe therefore points out an inſtant, and a total, reformation of public abuſes. 'Tis not the greatneſs of the criminal's rank which ſhould prevent you from puniſhing the criminality. But this is a period in which virtue alone is to undergo proſcription: it is not a violation, but a defence of the laws, which is to rouſe the reſentment of this aſſembly; it is not an attack upon the conſtitution, but a ſolicitude for its ſafety, which is to excite your indignation. If this was not apparently the caſe, Mr Preſident, your table would never have been diſgraced by the preſent motion. But remember, Sir, the flame which the impriſonment of the ſeven biſhops ſpread through the nation in the reign of James II.: recollect this, Sir, and tremble for the conſequences of impriſoning the city-magiſtrates, merely on a charge of having done their duty conſcientiouſly. The whole kingdom will inevitably conſider them as martyrs in the great cauſe of liberty; and, believe me, the kingdom is not ſo dead to the ſentiments of honour, as the panders of a corrupt adminiſtration may be inclined to imagine. The Britiſh lion ſtill maintains all his native courage; and whether deſpotiſm ſhews its head under a Brunſwick or a Stuart, in a court of Star-Chamber, or a Houſe of Commons, he will ſtill conſider it deſpotiſm; he will awake every true friend to the people with his roar, and never ſuffer your privileges to ſwallow up all the fundamentals of our freedom. The people will reſiſt you, as they reſiſted the crown in Charles II.'s time, and in Q. Anne's, when royal proclamations were attempted to be made ſuperior to poſitive acts of parliament; and make you ſenſible, fatally ſenſible, that nothing but the law of the land can poſſibly lay a claim to the obedience of a free-born Engliſhman."

To the foregoing ſpeeches againſt the commitment of the city-magiſtrates, Flaminius Fabius (Mr Att. Gen. Th—e) replied,

"Mr Preſident, Sir,

IT is not a little to be lamented, when gentlemen

gentlemen take upon them to talk about the violation of our laws, or the perverſion of our conſtitution, that they are ſo very indifferently qualified to reaſon upon the ſubject, and ſo apt to make the wantonneſs of their wiſhes the criterion of their conviction. Though this, Sir, is the firſt caſe of the kind that ever claimed the cogniſance of the Houſe, though it is the firſt time a magiſtrate of any corporation ever preſumed to ſet his municipal authority in oppoſition to our orders, you hear a number of young gentlemen, wholly unacquainted with the laws, deciding peremptorily on the queſtion, and, with a very peculiar modeſty, deciding individually on a point where they expreſsly deny the power of deciſion in the whole repreſentation of the Britiſh people.

For my own part, Sir, I ſuppoſed this Houſe, and I know my ſuppoſition is conſtitutionally founded, to be ſuperior in power to all charter-juriſdictions, and to act upon principles common, not only to itſelf, but to all other courts.—Every court, Mr Preſident, has its peculiar regulation, and the law of parliament is the rule of our proceedings. Theſe uninformed declaimers on the nature of our juriſprudence, Sir, ſhould recollect, that we have ſeveral laws in this country, beſides common law. We have, for inſtance, the admiralty, the civil, and the eccleſiaſtical law; we have, beſides, the law of parliament, which is as much a part of the conſtitution, as any other law; and would be acknowledged ſuch, even by the learned ſerjeant who lately ſpoke, was he ſeated on any one of our benches. The upper houſe has a juriſdiction in common law; but all queſtions muſt come before it by appeal: it can agitate no judicial point originally; and on that account the judges attend to give their advice in matters of legal determination. The upper houſe has moreover its law of parliament, as well as this: but in that the judges never interfere; they leave it entirely to its only arbiters; and poſſibly, did they ever meddle, they would have a ſpeedy reaſon to repent of their temerity.

Having thus proved the law of parliament to be as much a part of the conſtitution as any other law of the land, I now come to ſay, that Miller the printer was apprehended by this law, and that of conſequence his commitment was perfectly legal. What could be more preſterous, or more daring, in the city-magiſtrates, therefore, than to ſay a legal commitment was illegal, and to diſcharge by courſe of common law, a man apprehended by the courſe of parliamentary law? Lord Coke ſays, that it is not within the province even of the judges ſolemnly aſſembled in their judicial character upon the bench, to define the privileges of parliament: how then can it come within the province of an ignorant mayor, or a turbulent alderman? Is the chief magiſtrate of London to uſurp a power which the King himſelf does not aſpire to? or are the charters of the citizens to be put in competition with the united majeſty of the Britiſh people? I ſhould be aſtoniſhed how we were able to reſtrain our indignation, Mr Preſident, if the folly of our reformers was not equal to their arrogance! Here, Sir, it is allowed, that, by the law, we ſhall be the only judges of our own privilege; yet a corporation-juſtice is daring enough to limit the line of our authority, is daring enough to pronounce this to be no breach of privilege, which we, the ſole judicature of the offence, declare a very high one, and, with an inſolence unparalleled in the annals of this country, releaſes the delinquent whom we ordered to be taken up by our officer.—At what other period would an outrage of this nature be tolerated?—The breach of parliamentary privilege was the beginning of all thoſe exceſſes which at length brought the unhappy Charles to the block: yet it is now the glory of a London mayor, to trample upon our rights; and we are told even by our own members, that nothing is ſo meritorious as this audacity.

It is urged by the popular advocates, Mr Preſident, That the Lord Mayor, in purſuing a contrary conduct, would have violated his official oath, and that we are in fact puniſhing him becauſe he refuſed to be guilty of perjury. Give me leave, however, to obſerve, Sir, that the mayor was ſworn to obſerve the laws of the land, as well as the laws of the city; in violating the privileges of parliament, therefore, he ran into the very crime he was ſo *conſcientiouſly* ſtudious to avoid; becauſe theſe privileges, as I have repeatedly inſiſted, make a part of the *lex terræ*; and are ſo acknowledged by the courts at Weſtminſter. On the other hand, Sir, I deny that he would have committed a perjury by ſubmitting

to

to the reſolutions of this Houſe; becauſe this houſe was the only tribunal which could take cogniſance of Miller's offence. His Lordſhip, in determining, ſhewed his ignorance, as much as diſregard, of law: for the matter did not come regularly before him; he might have decided with as much propriety upon a chancery-ſuit as upon our privileges; to act legally, he ſhould have diſmiſſed the complaint, and known, that little charter-grants of a city, were not to be oppoſed againſt the general laws of the kingdom.

But admitting, Mr Preſident, that the mayor has all the merit popularity is pleaſed to give him, for acting in conformity to what he *believed* to be law; are we not to follow his example, and conduct ourſelves by what we *know* to be ſo? Shall it be mentioned to the glory of an individual, that he maintained the *ſuppoſed* rights of a corporation; and ſhall it be ſaid, that this Houſe is diſhonoured in maintaining its *confirmed* privileges? Is not the generoſity, is not the very pride of the Houſe, alarmed by ſo degrading a competition? Have not the members of this aſſembly as conſcientious a veneration for oaths as the mayor? or are they afraid to puniſh his licentiouſneſs, when he is not afraid to inſult their authority? All that's man, all that's Briton, is firing in my boſom, while I aſk theſe ſimple queſtions. Well may our enemies ſay, that we have ſacrificed the deareſt ties that bound us to our conſtituents, if we now ſuffer the whole body of the Engliſh commons to be trod upon by the inſtrument of a deſpicable faction. Have we ſo long defended our privileges againſt the tyranny of kings, to fall at laſt before the turbulence of a ſeditious city-magiſtrate? or has the conſtitution given us ſufficient title to guard againſt the incroachments of the crown, and yet left us without means of chaſtiſing the incroachments of inferior ambition? The very word *privilege* means a power of diſpenſing with the laws; this diſpenſing power was placed in our hands, that temporary remedies might be applied to unexpected evils. Where could it be more ſafely truſted for public good, than with the people themſelves? We are their delegates; and in chuſing us they ſhould be doubly circumſpect, when they conſider with what an ample juriſdiction they inveſt us. Whatever attacks the independency of this Houſe, attacks the conſtitution; and whether it proceeds from the throne, or the conſtituent, it is equally our duty to repel it. For theſe reaſons I am heartily for the Lord Mayor's commitment, and cannot but compliment your lenity in the mildneſs of his puniſhment."

[*To be continued.*]

The late Mr DYER's *method of curing the bite of a Mad Dog.*

TAke of loaf-ſugar three drachms, ſalt-petre two drams, ſal ammoniac a drachm and half, made into fine powder, mixed together; three ſcruples of which may be given to a grown perſon twice or three times a-day, in ſome warm tea, for the firſt month.

If the perſon's conſtitution will bear the loſs of blood, take off eight, ten, or twelve ounces, as ſoon as poſſible; and give a ſolution of manna and ſalts, in an infuſion of ſena, enough to give five or ſix ſtools; to be repeated once a-week for the firſt month. When application has been made within a fortnight, there has been no occaſion to uſe any other medicine; but when longer omitted, and the dreadful ſymptoms appear, which are, a violent pain and giddineſs of the head, a pain of the throat, without ſwelling, which pain extends itſelf to the ſtomach, with great thirſt, though, at the ſame time, a dread of water, or any liquid; then bleed plentifully, [xxxiii. 350.] to the quantity of twenty or twenty-five ounces, if the patient can bear the loſs of ſo much; give a ſtrong doſe of manna and ſalts; and repeat the above powders every three or four hours; which will generally cauſe a cure. Should there be a relapſe, bleed again, and give turbith mineral, (the quantity in proportion to the ſtrength of the patient), a doſe every ſecond or third day, till you have given two or three doſes; then give the above powders, which it would be proper to continue taking two or three months after the patient appears recovered; firſt twice and then once a-day, till diſcontinued. Great care is to be taken afterwards as to the diet, it being neceſſary to abſtain from all ſpirituous liquors, wine, ſtrong beer, and high-ſeaſoned meat and ſpices. The wounds are to be dreſſed as if bit by a dog not mad: but if they can for ſome time be kept open, by way of iſſue, the better.

A catalogue of NEW BOOKS, with remarks and extracts, continued. [206.]

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A letter written by a country clergyman, to Abp Herring, in 1754. 1 s. *Payne.* —— For promoting a reformation of the doctrine and diſcipline of the church of England. C.

A review of the hiſtory of Job: With an appendix; containing remarks on that generally miſapplied paſſage, ch. xii. 12. 2 s. *Buckland.* —— The purport of the hiſtory, the author thinks, is, to juſtify the conduct of the ſupreme being; to ſhew, that men frequently miſtake characters, and from thence draw falſe and injurious concluſions; that afflictions, in themſelves, are no proofs of the divine diſpleaſure; and that the conduct of Job was agreeable to truth, reaſon, and nature. — He obſerves, in favour of Job's wife, that the word BERECH, ch. ii. 9. uſually tranſlated *to curſe*, may ſignify, *to bleſs*, or *to ſalute*. — He thinks it moſt probable, that Elihu was the firſt penman of the hiſtory of Job, becauſe he was the youngeſt of the company, might live long enough to give an account of his death, and was well acquainted with all the particulars of his life. He however ſuppoſes, that the book of Job had its preſent poetical form from Moſes; or that Moſes tranſlated it from the Syriac, in which it was firſt written. — He anſwers ſome objections which have been urged againſt the reality of the perſon of Job, and the truth of the facts related in the hiſtory. — As to Job's country, Uz, he obſerves, was the ſon of Diſhan, the ſon Seir, in the land of Edom, Gen. xxxvi. 28.; Edom and Eſau are the ſame; Idumea is ſouth of Jeruſalem, conſequently in the neighbourhood of, or as it were among, the Chaldeans and Sabeans; and that therefore Job's habitation was about the borders of Idumea: an opinion confirmed by Lam. iv. 21. — In oppoſition to thoſe who think that the book of Job was written in the moſt early times, he makes the following remarks. 1. The Chaldeans and Sabeans are mentioned in the firſt chapter, as well-known and powerful people, and not as new ſettlers. 2. The method of cultivating land in Job's days was not the firſt or original method; for his ſervants did not dig the ground, but his oxen plowed it. 3. The art of weaving was known, as appears by Job's alluſion to the weaver's ſhuttle, chap. vii. 6. 4. Job is ſaid to have died *old and full of days*; whereas he was probably not more than than 200 years old when he died; for Eliphaz ſays to him, chap. xv. 10. "*With us are very aged men, much older than thy father*;" and he lived only 140 years after the commencement of his ſecond proſperity; which is no great age compared with that of Noah, Shem, and their immediate ſucceſſors, who lived 500 or 600 years. But if, ſays our author, we bring Job down to later times, we ſhall ſee the propriety of calling him *old and full of days*: for Iſaac was only 180 years old when he died, and he is likewiſe ſaid to have been *old and full of days*. 5. The mention of the ſpear, the ſhield, the horſe, and the trumpet, is a circumſtance no wiſe favourable to the ſentiments of thoſe who contend for the very high antiquity of the book of Job. The moſt early method of war was more ſimple. 6. In the Moſaic hiſtory we find that Buz, the father of the Buzites, was the ſon of Nahor, the brother of Abraham: Elihu therefore, who is ſtyled a Buzite, and of courſe Job his cotemporary, muſt have lived after the time of Abraham. 7. Eliphaz, another of Job's friends, appears to have been a grandſon of Iſaac, Gen. xxxvi. 10. From theſe and ſome other arguments the author concludes, that Job lived about 3500 years ago: that is, about the year of the world 2275, or about the time that Joſeph was carried into Egypt. This calculation, he thinks, ſuits alſo with the preſents made to Job by his friends and acquaintance, every one giving him an ear-ring of gold, and a *keſitah*, which he tranſlates, a *lamb*. — In the concluſion he has ſome obſervations in anſwer to thoſe who have thought, that Job was a king, or the ſame with Jobab, a great-grandſon of Eſau, mentioned Gen. xxxvi. 33. C.

A letter to the Rev. Mr Toplady, occaſioned by his late letter to Mr Weſley. By Thomas Olivers. 4 d. *Cabe.*

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Hiſtory,

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Elements of the hiſtory of England, from the invaſion of the Romans to the reign of George II. Tranſlated from the French of Abbé Milot. By Mrs Brooke. Vol. 1. 2. 5 s. *Dodſley.* —— Written with great ſpirit and freedom, in a perſpicuous and lively ſtyle, and theſe two qualities happily preſerved in the tranſlation. C.

The trial of William Wemms, and ſeven others, ſoldiers in his Majeſty's 29th regiment, for the murder of Criſpus Attucks and four others, Mar. 5. 1770. [104.], at the ſuperior court of judicature, aſſize, &c. at Boſton, Nov. 27. following, &c. before the Hon. Benjamine Lynde, John Cuſhing, Peter Oliver, and Edward Trowbridge, Eſqs, Juſtices of the ſaid court. Publiſhed by permiſſion of the court. 3 s. ſewed. *Evans.*

Lord Camden's genuine argument in giving judgement on the ejectment between Hindſon and others againſt Kerſey. Wherein Lord Mansfield's opinion delivered in Wyndman *contra* Chetwynd, is learnedly conſidered. To which is prefixed, The argument of Lord Mansfield. 4 s. ſewed. *Wilkie.* —— The opinion which was given by Lord Mansfield upon a deviſe of land in the caſe of Wyndham *contra* Chetwynd, he ſupported with much legal erudition; and a ſimilar queſtion having been ſubmitted to the court of common pleas, Lord Camden delivered his judgement upon it. The ſentiments of theſe judges were oppoſite; and it muſt be allowed, that the point of law in diſpute was of nice and difficult diſcuſſion. — Lord Mansfield contends, that the atteſtation of three witneſſes to deviſes of land is mere form; that, in the ſtatute of frauds, which gives this direction, the word *credible* as applied to witneſſes is nugatory, or uſed improperly; that the ſtatute being deprived of the word *credible*, the word *witneſs* muſt be expounded by common law; that a releaſe or payment will remove the diſability of a witneſs from *intereſt*; and that ſuch a witneſs may, even without a releaſe, be competent enough to prove the will for every perſon except himſelf. — Theſe concluſions appeared to Lord Camden to be erroneous. He conceived, and attempted to prove, in oppoſition to them, That the *credibility* alluded to in the ſtatute, ought to be conſidered as a neceſſary and ſubſtantial qualification of the witneſs at the time of atteſtation; that if the witneſs is incompetent at that time, he cannot purge himſelf afterwards, either by releaſe or payment, ſo as to ſet up the will; and that he cannot, in that caſe, be a witneſs to eſtabliſh any part of the will. — In the reaſoning and arguments employed by Lord Mansfield, there is much ſubtlety and preciſion; but perhaps he is inclined to allow to judges too great a latitude in the interpretation of laws. Lord Camden is more diffuſe and leſs profound; but his opinion, notwithſtanding, abounds with many ſolid obſervations. He argues, in particular, with great force againſt the diſcretionary power of Judges. "The diſcretion," ſays he, "of a judge is the law of tyrants; it is always unknown; it is different in different men; it is caſual, and depends upon conſtitution, temper, and paſſion. In the beſt it is oftentimes caprice; in the worſt it is every vice, folly, and paſſion, to which human nature is liable." M.

Caſes argued and determined in the High Court of Chancery, in the time of Lord Chancellor Hardwicke, from the year 1746-7 to 1755. With tables, notes, and references. By Francis Veſey, L. L. D. barriſter at law. Folio. 2 vols. 3 l. 3 s. *Cadell.*

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Thoughts on the late tranſactions reſpecting Falkland's iſlands [146]. ——— The few writers who treat diſpaſſionately of public affairs, are intitled to the thanks of their fellow-citizens; but it is not ſo with thoſe who would ſcatter ſedition, or who would exalt the prerogatives of the crown by overthrowing the liberties of the people In this latter claſs we are unwilling to place the author of the performance before us; notwithſtanding that, as the champion of the miniſtry, he attempts to vindicate its conduct in relation to the late tranſactions with Spain; and that he conſiders thoſe who have cenſured it as the "bellowers of faction." -- Tho' perhaps there is no great force of argument, or ſtrength of reaſoning, in the pages before us, we muſt, however, be candid enough to remark, that their literary merit is very conſiderable. The following ſpirited animadverſions on a famous political writer will, no doubt, entertain many of our readers. — "An unſucceſsful war," ſays our author, "would undoubtedly have had the effect which the enemies of the miniſtry ſo earneſtly deſire; for who could have ſuſtained the diſgrace of folly ending in misfortune? But had wanton invaſion undeſervedly proſpered, had Falkland's iſland been yielded unconditionally, with every right prior and poſterior; though the rabble might have ſhouted, and the windows have blazed, yet thoſe who know the value of life, and the uncertainty of public credit, would have murmured, perhaps unheard, at the increaſe of our debt, and the loſs of our people. — This thirſt of blood, &c." [as before [145.] inſerted.] — The preſent publication is not entirely free from that diſguſting petulance and affectation, which generally characteriſe the performances of its author. Filled with that little vanity which ſo frequently attends on contemplative and retired men, he delivers his oracles with an air of the utmoſt authority; and ſeems to conſider himſelf as ſeated on the pinnacle of the temple of Wiſdom, from whence he looks down with a *ſapient diſdain* on the reptiles that crawl below him. M.

A refutation of a pamphlet, called, "Thoughts on the late tranſactions reſpecting Falkland's iſlands." 1 s. *Evans.* —— An abuſive and impotent attack on a celebrated writer; dictated by perſonal malignity, inflamed with political prejudice, and ſo deſtitute of any foundation either in argument or fact, that it would be proſtituting criticiſm to pay it any farther attention. C. — Fully refutes the fallacious reaſonings employed in Dr J.'s pamphlet, and expoſes the diſingenuity of its author. M.

Reflections upon the preſent diſpute between the Houſe of Commons and the magiſtrates of London. [196.] 1s. *Bladon.* —— A publication no leſs ſpirited than ſeaſonable; and whoever peruſes it for the ſake of information, will be convinced, that the power which the Houſe of Commons has exerted, is warranted by the principles of the conſtitution. C. — Written with no extraordinary ſtrength of argument, or elegance of compoſition; yet, from its ſtyle and manner, we ſhould be apt to aſcribe it to a perſon of ſome eminence in the literary world, — the author of *Memoirs of G. Britain and Ireland.* M. [204.]

Freedom of the Preſs, and privileges of the Commons, conſidered. 1 s. 6 d. *Bell.*

An addreſs to the people of England, on the preſent ſtate of the Britiſh legiſlature; pointing out the cauſes of the preſent diſturbances. 1 s. *Griffin.* —— A perſuaſive to the people of England to chuſe only men of acknowledged probity at the next general election. C.

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The philoſopher: in three converſations. Part 2. [38.]. With a ſecond dedication to Lord Mansfield. 1 s. 6 d. *Becket.*

An eſſay on military firſt principles By Major Thomas Bell. 4 s ſewed. *Becket* —— The language of this tract is by no means equal to the matter of it. — The objects of Mr Bell's attention are treated of in the following order: Of firſt principles; Invaſions in general, and their principles; Exerciſe; Exerciſe of the firelock; battalion-firings; Evolutions; War in general, and of its ſtudy;

Campaigns; Battles; Sieges; Expeditions; The long linen gaiter; A cloak; The military conſtitution, and of diſcipline; Light infantry; Power of ſpeech: under the laſt head the author treats of the advantages of proper addreſſes to ſoldiers, by their commanding officers, on ſignal occaſions, in critical ſituations, and important emergencies. There are many pertinent and judicious remarks under each head. M.

Military inſtructions for officers detached in the field; containing a ſcheme for forming a corps of a partiſan: illuſtrated with plans of the manœuvres neceſſary in carrying on the *petite guerre*. By an officer. 5 s. *Cadell*, &c. —— Of the military inſtructions which this uſeful treatiſe contains, it may with great truth and propriety be declared, that they are the dictates of military genius, and the evident reſult of extenſive experience. Thoſe gentlemen for whoſe ſervice they are immediately intended, will peruſe them with pleaſure and advantage; while, at the ſame time, they are illuſtrated by obſervations and facts, which muſt intereſt the attention and gratify the taſte of the moſt indifferent reader. — Theſe inſtructions are comprized in fifteen chapters. The author begins with a few geometrical problems, neceſſary to be underſtood by every officer in the army; and as they have no occaſion to direct the conſtruction of large fortifications, he obſerves, that the geometry eſſentially requiſite for them may be reduced into a ſmall compaſs. He then deſcribes and illuſtrates the different works with which *poſts* (ſuch places as bodies of troops can fix in when detached from the army) may be fortified to the greateſt advantage. He propoſes the beſt method of fortifying churches, mills, and other detached buildings; and lays down neceſſary cautions and rules for intrenching and defending villages. After having given the manner of fortifying poſts, the author proceeds to ſpeak of thoſe who are to defend them. He gives inſtructions for the choice of the corps of a partiſan, and ſtates the qualifications neceſſary in ſuch an officer, as well as in the individuals compoſing his party. The two ſucceeding chapters treat of exerciſe and ſubordination. He goes on to give inſtructions and rules for detachments and ſecret marches; for reconnoitring; for the defence and attack of poſts; for ſurpriſes and ſtratagems in ſeizing poſts; for ambuſcades, and a retreat. M.

Natural Hiſtory, Medicine, Agriculture, &c.

The vegetable ſyſtem. By Dr Hill. Vol. 17. Folio. Royal paper. 1 l. 11 s. 6 d. *Baldwin.* [xxxii 496.]

An eſſay on the myſtery of tempering ſteel. Wherein the effects of that operation are fully conſidered. Extracted from the works of the celebrated Monſ. Reaumur. By J. Savigny. 1 s. *Kearſley.* — This author endeavours to account for three phænomena obſervable in the tempering of ſteel: 1. The induration of the metal; 2. Its expanſion, and 3. Its friability. In regard to induration, he ſuppoſes it to be produced by the ſudden immerſion of the heated iron in cold water, which fixes the cohеſion of its particles on the ſurface; the ſalts and oils, or phlogiſtic part of the iron, which had been fuſed, are thereby prevented from mixing equally again with the whole maſs. He imagines the expanſion of the ſteel to be produced by the ſame action of the water, condenſing at once its external ſurface, and preventing the exit of the fiery matter, which had penetrated during the application of heat. He accounts for the third phænomenon upon the ſame principle with the firſt; alledging the friability of ſteel to be produced by the ſalts and oils, which had been liquified by the heat, and were formerly diffuſed through the interſtices of the ferruginous particles, being confined to the more internal parts by the ſudden immerſion in water. C.

Medical obſervations and inquiries. By a ſociety of phyſicians in London. Vol. 4. 5 s. ſewed. *Cadell.* [xxx. 483.]

The practice of phyſic in general, as delivered in a courſe of lectures on the theory of diſeaſes, and the proper method of treating them. By Theophilus Lobb. M. D. 2 vols. 9 s. *Buckland.*

An eſſay on the cure of the gonorrhœa, or freſh contracted venereal infection, without the uſe of internal medicines. By William Rowley, ſurgeon. 1 s. *Newbery.* —— The remedy here recommended is an injection of gum arabic, argentum vivum, and oil, into the urethra, which he affirms to have found effectual in the courſe of ſeveral caſes. — This ſeems to be an inverſion of the method of cure which had been formerly publiſhed by Mr Plenck of Vienna; the foreigner adviſing to be ſwallowed what Mr Rowley adminiſters by the penis. C.

A diſſertation on the gout, and all chronic diſeaſes, jointly conſidered, as proceeding from the ſame cauſes, &c. By William Cadogan, M. D. 1 s. 6 d. *Dodſley.* — Contains many ſenſible obſervations. C.

A candid and impartial ſtate of the farther progreſs of the gout-medicine, of Dr Le Fevre, being the evidence of the year 1770, and part of the year 1771. To which is added an appendix. By Edmund Marſhall, M. A. vicar of Charing, in Kent. 2 s. *Dilly.*

Tracts on practical agriculture and gardening. In which the advantage of imitating the garden-culture in the field is fully proved by a ſeven years courſe of experiments; with obſervations made in a late tour through part of France, Flanders, and Holland; alſo ſeveral uſeful improvements in ſtoves

ſtoves and green-houſes. To which is added a complete chronological catalogue of Engliſh authors on agricu ture, gardening, &c. By a country-gentleman, [Mr Wetton, author of the Univerſal Botaniſt]. 6 s. bound. *Hooper.*

The farmer's letters to the landlords of G. Britain. Containing the ſentiments of a practical huſbandman, on various ſubjects of great importance; particularly, 1. On raiſing large ſums of money by improving eſtates. 2. On the methods of raiſing the rental of eſtates. 3. On various improvements; ſuch as draining, manuring, fencing; and raiſing new buildings, or remedying the inconveniencies of old ones. 4. On pairing, burning, liming, &c. 5. On improving ſeveral ſorts of waſte lands, moors, downs, wolds, &c. &c. The whole calculated to ſhow the great profit attending the improvement of eſtates, both in cultivated and uncultivated countries. Vol. 2. 6 s. *Nicoll.*

The complete Engliſh farmer; or, A practical ſyſtem of huſbandry, &c. By a practical farmer, and a friend of the late Mr Jethro Tull, author of the horſe-hoeing huſbandry. 6 s. *Newbery.*

A new ſyſtem of mathematics. By John Muller. 10 s. 6 d. bound. *Cadell.* —— The author has raiſed expectations which he has miſerably diſappointed. M.

Tabulæ motuum ſolis et lunæ novæ et correctæ, auctore Tobia Mayer; quibus accedit methodus longitudinum, promota, eodem auctore. Editæ juſſu præfectorum rei longitudinariæ. 10 s. ſewed *Nourſe.* 1770. —— Theſe are the tables of the learned Prof. Mayer, of the univerſity of Gottingen, which in conſideration of their great uſe in finding the longitude, were honoured with a reward of 3000 l. by an act of the Britiſh parliament, which was paid to the widow of the deceaſed Profeſſor.

An explanation of the affirmative and negative ſigns in algebra. 6 d. *Beecroft, &c.*

A lecture on the perpetual motion. Parts 1. & 2. 2 s. 6d. each. *Evans.*

Fine Arts, &c.

The conduct of the royal academicians, while members of the incorporated ſociety of artiſts of G. Britain. 1 s. *Dixwell.* —— We cannot help regretting, that envy or animoſity ſhould ever excite diſſenſion among thoſe who cultivate the fine arts; in whom a ſimilitude of taſte ought to produce a mutual ſympathy, and whoſe only ſtrife ſhould be a generous emulation to excel. C.

A practical treatiſe on ſinging and playing with juſt expreſſion and real elegance. By Anſelm Bayly, L. L. D. 2 s. *Ridley.* —— Diſcovers the author to be a man of taſte, a reſpectable philologiſt, and a good judge of muſical compoſitions. C.

VERSES to the memory of an amiable YOUNG LADY, who died, at Edinburgh, May 20. 1771.

Sunt lacrymæ rerum, & mentem mortalia tangunt.
VIRG.

OF all diſaſters that befall mankind.
And kill the joys of life, the direſt far,
Is the departure of a much-lov'd friend.
To take the long farewell, to cloſe thoſe eyes,
Ne'er more to ope on you, or chearful day;
To view the ſable pomp, to hear the knell,
Muſe o'er the ſilent urn; theſe, theſe are ſcenes,
Which overpower the mind, and ſtrike the heart,
Before unknown to feel, or melt at wo.
Then burſts the tear, then heaves the lab'ring ſigh,
Or inly pining anguiſh wrings the ſoul.
Such ſcenes my melancholy Muſe demand,
Which while the taper at the midnight-hour
Yields its dim light, juſt to augment the gloom,
Now waſtes her time in contemplation ſad;
Or through the foreſt deep ſtrays, while the moon
Shrouds her pale face in clouds; or chearleſs roams
Through the lone church-yard's ſilent ſacred mounds,
Where ſleeps the Maid ſhe ever penſive mourns.
But ſoft the ſleep, peace dwells around that tomb,
Which circles Virtue in her faireſt form.
If gentleſt manners, if the warmeſt heart,
If truth, ſincerity with honour join'd,
If all that claims eſteem, or merits praiſe,
Could reſcue from the grave, then hadſt thou liv'd,
Nor ſunk beneath the leaden hand of Death.
Say wherefore were ſo many virtues given,
With all thoſe nameleſs graces, which adorn,
Which dignify, only to blaze awhile,
Like yon effulgent ſtar, which late amaz'd,
Th' intently gazing world, but lo, anon,
Rapid and ſwift, with circling courſe, was hurl'd,
Into the regions of eternal night?
Here Pity drops the ſympathetic tear:
Her friends, her young companions hopeleſs feel,
The fierceſt pangs of grief, when, piteous ſight!
The parting ſpirit leaves the lifeleſs clay.
But who can paint the mother, fix'd in wo
Unutterable, only to be felt!
Of what ſhe held moſt dear at once bereft;
The comfort, joy, and ſolace of her years,
Sunk to the narrow houſe, whence none return,
To viſit more the gladſome realms of day;
Comfortleſs, lonely, like the ſhatter'd pine,
Which once umbrageous cover'd half the plain,
But lightning quick deſcends, the tempeſt howls,
Now ſtript of boughs and foliage, bare it ſtands,

Expos'd defenceleſs to the ruthleſs ſtorm.
Come, gentle Time, thy healing balm apply,
And ſooth her grief; let it at length ſubſide,
Into the calm remembrance of paſt joys;
Remembrance ſad, yet grateful to the ſoul.
This manly feeling, which brings friendly aid
To wretched mortals, ſaves them from deſpair,
And mild reigns o'er the heart, is better far,
Than the wild turbulence of giddy mirth.
Forgive, pure Shade, that I attempt to ſing,
Thy matchleſs worth, which doubtleſs well deſerv'd,
The glowing numbers which o'er time prevail,
And all the honours of the deathleſs verſe.
Ariſe, ſome happy Bard, and merit bays,
By crowning virtue; ſince to me 'tis giv'n,
In rugged numbers only, to pour forth
The warm effuſions and the heart-felt grief,
With all the overflowings of a mind,
Sincere by Nature, but untaught by Art,
Still with the darts of ſharpeſt anguiſh pierc'd,
Since in evil hour, Death's barbarous hand,
Hath ſnatch'd thee hence, while in the joyous prime,
Which falſely promis'd a long train of years.
Deluſive hope! The faireſt flower firſt fades,
Firſt bends beneath th' autumnal ſurly blaſt.
Why ſhould we mourn? 'tis ſelfiſh, 'tis unfair:
The heavens a new inhabitant demand,
And do we yield reluctant with a ſigh?
We ſhould rejoice, we know; but Nature ſtill,
Reſiſtleſs in her dictates, drags the ſigh [tear
From our heav'd boſoms, while at times the
Soft ſtealing down, the pale and quiv'ring lip,
Betray the anguiſh, which we ſtrive to hide.
But thou ſerene join'ſt the ſeraphic hoſt,
And ſplendid choirs of angels, who, attun'd
To ſweeteſt melody, a ſiſter hail.
Perhaps now guardian by decree of Heaven,
Gen'rous, unſeen, thy friends thou ſhield'ſt from harm.
From grief thou canſt not; penſive ſtill for thee,
Along Life's dreary path, they ſlowly trudge,
Chear'd only with the ſadly pleaſing hope,
That when a few revolving ſuns have run,
They'll mingle with thee in the bleſs'd abodes.

S.

The BEE-FLOWER*.

From Dr LANGHORNE's *Fables of Flora.*

COme, let us leave this painted plain,
This waſte of flowers that palls the eye:
The walks of Nature's wilder reign
Shall pleaſe in plainer majeſty.

Thro' thoſe fair ſcenes, where yet ſhe owes
Superior charms to Brockman's art,
Where, crown'd with elegant repoſe,
He cheriſhes the ſocial heart —

Thro' thoſe fair ſcenes we'll wander wild,
And on yon ruſſet mountains reſt;
Come, brother dear! come Nature's child!
With all her ſimple virtues bleſt.

The ſun far ſeen on diſtant towers,
And clouding groves and peopled ſeas,
And ruins pale of princely bowers
On Beachborough's† airy heights ſhall pleaſe.

Nor lifeleſs there the lonely ſcene;
The little labourer of the hive,
From flower to flower, from green to green,
Murmurs, and makes the wild alive.

See, on that flowret's velvet breaſt
How cloſe the buſy vagrant lies!
His thin-wrought plume, his downy breaſt,
Th' ambroſial gold that ſwells his thighs!

Regardleſs, whilſt we wander near,
Thrifty of time, his taſk he plies;
Or ſees he no intruder near?
And reſts in ſleep his weary eyes?

Perhaps his fragrant load may bind
His limbs; — we'll ſet the captive free —
I ſought the living Bee to find,
And found the picture of a Bee.

Attentive to our trifling ſelves,
From thence we plan the rule of all:
Thus Nature with the fabled elves
We rank, and theſe her SPORTS we call.

Be far, my friends, from you, from me,
Th' unhallow'd term, the thought profane,
That LIFE's MAJESTIC SOURCE may be
In idle Fancy's trifling vein.

Remember ſtill, 'tis Nature's plan
Religion in your love to find;
And know, for this, ſhe firſt in man
Inſpir'd the imitative mind.

As conſcious that affection grows,
Pleas'd with the pencil's mimic power:
That power with leading hand ſhe ſhews,
And paints a Bee upon a flower.

Mark, how that rooted mandrake wears
His human feet, his human hands!
Oft, as his ſhapely form he tears,
Aghaſt the frighted ploughman ſtands.

* *This is a ſpecies of the Orchis, which is found in the barren and mountainous parts of Lancaſhire, Worceſterſhire, Kent, and Hertfordſhire. Nature has form'd a Bee on the breaſt of the flower with ſo much exactneſs, that it is impoſſible at a ſmall diſtance to diſtinguiſh the impoſition. For this purpoſe ſhe has obſerved an œconomy different from what is found in moſt other flowers, and has laid the petals horizontally. The genus of the Orchis, or Satyrion, ſhe ſeems profeſſedly to have made uſe of for her paintings, and on the different ſpecies has drawn the perfect forms of different inſects ſuch as Bees, Flies, Butterflies, &c.*

† *The ſeat of the Rev. Mr Brockman, in Kent.*

See where, in yonder orient ſtone,
She ſeems ev'n with herſelf at ſtrife,
While fairer from her hand is ſhewn
The pictur'd, than the native life.

Helvetia's rocks, Sabrina's waves,
Still many a ſhining pebble bear,
Where oft her ſtudious hand engraves
The perfect form, and leaves it there.

O long, my Paxton ‡, boaſt her art;
And long her laws of love fulfil:
To thee ſhe gave her hand and heart,
To thee, her kindneſs and her ſkill!

‡ *A Portrait Painter.*

Mr ANSTEY * *to* DAVID GARRICK, *Eſq; on meeting him at a friend's houſe.*

THro' ev'ry part, of grief or mirth,
To which the mimic ſtage gives birth,
I ne'er as yet with truth could tell,
Where moſt your various pow'rs excel.
Sometimes, amidſt the laughing ſcene,
Blithe Comedy with jocund mien,
By you in livelier colours dreſt,
With tranſport claſp'd you to her breaſt:
As oft the Buſkin'd Muſe appear'd,
With awful brow her ſceptre rear'd;
Recounted all your laurels won,
And claim'd you for her darling ſon.
Thus each contending Goddeſs ſtrove,
And each the faireſt garland wove.
But which fair Nymph could juſtly boaſt
Her beauties had engag'd you moſt,
I doubted much; 'till, t'other day,
Kind Fortune threw me in your way;
Where, 'midſt the friendly joys that wait
Philander's † hoſpitable gate,
Freedom and genuine mirth I found,
Sporting the jovial board around.
'Twas there with keen, tho' poliſh'd jeſt,
You ſat, a pleas'd and pleaſing gueſt;
With ſocial eaſe a part ſuſtain'd,
More humourous far than e'er you feign'd.
"Take him," I cry'd, "bright Comic Maid,
In all your native charms array'd;
No longer ſhall my doubts appear;"
When Clio whiſper'd in my ear,
"Go, bid it be no more diſputed,
For what his talents beſt are ſuited:
In mimic characters alone
Let others ſhine — but Garrick in his own."

* *The facetious author of the new Bath Guide.*
† *Rigby.*

Mr GARRICK's *Anſwer.*

AS late at Comus court I ſat,
(Obſerve me well, I mean not that
Where ribaldry in triumph ſits,
Delighting Lords, and ſquires, and Cits;
But there, where mirth and taſte combine,
And Rigby gives more wit than wine),
Suſpended for a while the joke,
With rapture of your Muſe we ſpoke;
But all blam'd me, cry'd out, Oh! fye!
What! ſend to verſe a proſe reply?
My friend the Colonel * made th' attack,
And wicked Calvert clapp'd his back.
Nay, Pottenger, though low in feather,
And ſomewhat ruffled by the weather,
Would peck and crow. And Madam Hale
Flew at my manners, tooth and nail.
What! ſend to Anſley ſuch dull ſtuff?
'Twas modeſty, dear Hale, don't huff.
Cou'd I but rhyme as much as you
And think that much as charming too,
I'd write, and write again, I care not:
But, as I feel, indeed I dare not.
Then Cox let looſe his ſilver tongue;
O d—n it, David, you are wrong.
While independent Plummer cry'd,
He'd not vote plump on either ſide.
E'en Boon, who ne'er inclines to ſatire,
With modeſt ſenſe, and much good-nature,
Cou'd not but ſay there was ſome blame;
And ſweet Eliza † bluſh'd the ſame.
My wife look'd grave; but made it known,
The right to vex me was her own.
Our landlord ſhook his ſides and ſhoulders,
Both at the ſcolded and the ſcolders;
For that to him is always beſt,
Which raiſes and ſupports the jeſt.
No baited Bear was e'er ſo worry'd;
I took my hat, and home I hurry'd,
Reſolv'd, as well as I was able,
To aſk your pardon in a fable;
The beſt excuſe my prudence knows,
For anſw'ring your choice verſe in proſe.
A Monkey, of the ſprightly kind,
Could mock and mimic half mankind;
Could twiſt him to a thouſand ſhapes;
In ſhort, a perfect Jackanapes.
As once our mimic Pug diſplay'd
His talents in the ſummer ſhade,
By chance a Nightingale was there,
Well pleas'd the farce to ſee and hear;
His joy began his notes to raiſe,
He warbled forth the Monkey's praiſe.
Pug, too much flatter'd, thought it wrong,
Not to return his thanks in ſong;
And ſuch a fit of ſqualling took him,
Beaſts, Birds, and Nightingale forſook him.
An Owl, who in a hole was dreaming,
Was rais'd at once with all this ſcreaming:
Who-o-hoo! hoo! neighbour, curſe your clatter;
Zounds! are you murder'd? what's the matter?
The Monkey to his ſenſes brought,
And muſt'ring what he had of thought,
Told to the Owl his ſilly tale,
How he had fear'd the Nightingale.
Grave Madge began to roll her eyes,
And being what ſhe ſeem'd, moſt wiſe,
Thus ſpoke, — Thou empty-headed thing,
Skip, grin, and chatter, — never ſing.
Wou'd you, without a voice, or ear,
Tune up when Philomel is near?
Nature her pleaſure has made known,
That Nightingales ſhould ſing alone.

* *Hale.* † *Mrs Boon.*

H I-

HISTORICAL AFFAIRS.

TURKY.

"*Conſtantinople, March* 8. The Porte returns nothing but vague anſwers to all the propoſitions for an accommodation by the courts of Berlin and Vienna. The reſident of their Imperial Majeſties had three private meetings with the Kaimacan within fifteen days, the reſult of which was diſpatched to Vienna and Berlin."

"*Extract of a letter from Count Romanzow, dated March* 20. 1771. I have the honour to inform you, that continuing our conqueſts along the Danube, we have taken the fortreſs of Giurgovo. Gen. Olitz, commander in chief of our forces in Wallachia, having received my orders to approach Giurgovo on the ſide towards Bucharеſt the 12th inſt. he found there the enemy, conſiſting of 10,000; who attacked him as he was getting poſſeſſion of the firſt intrenchment. He could not immediately take the ſecond, becauſe it was defended by the cannon and a very deep ditch. In the night of the 15th, having divided his troops in four columns, he took the ſecond intrenchment by aſſault, in ſpite of the fire of the enemy from the fortreſs. The engagement laſted above three hours, and the enemy left 4000 dead on the ſpot. On our part there were only 173 killed, and 194 wounded.—The Turks retired into the fortreſs, and continued firing without ſucceſs till the 18th. Our batteries beginning to play, had ſuch an effect, that the towers and walls were ſoon beat down, and their magazine of powder blown up. The enemy, finding the loſs of the place certain, deſired to capitulate, which was granted. Gen. Olitz permitted them to retire beyond the Danube. There were found in the fortreſs eighteen colours, ſixty-two pieces of braſs cannon, two mortars, and a great quantity of proviſions and amunition."

"*Conſtantinople, April* 3. Not only Giurgovo, but alſo the city of Sinope, ſituated on the Black ſea, in Natolia, has been taken by the Ruſſians; and three men of war upon the ſtocks were burnt."

"*Elbing, April* 17. We have received advice, that the Ruſſian army, under Count Romanzow, is in full march. His magazines are immenſe. Poland is taxed to furniſh him with 55,000 buſhels of oats, 3084 laſts of wheat, the laſt to conſiſt of ſixty meaſures, and 25,000 carriages."

"*Temeſwar, April* 18. The Ottoman army is actually on its march towards the enemy, and is 150,000 ſtrong. Huſſy Bey, Pacha of Romelia, commands the advanced guard, which conſiſt of a body of 30,000 men, as well Albanians as Boſniacs. The Grand Vizir is advancing by the way of Kirkel, with the grand army and the artillery, which is very numerous. He has already traced out and fortified a camp between Bazargic and Siliſtric, from whence he intends to carry on his operations againſt the Ruſſians. The number and good diſcipline of his troops gives us the greateſt reaſon to expect he will have better ſucceſs than his predeceſſors."

"*Warſaw, April* 24. A courier arrived from Choczim has brought an account, that Maj.-Gen. Weiſman, having paſſed the Danube the 5th, with a detachment of 720 light troops, had attacked a body of 5000 Turks near Fulkſaw, 500 of whom were killed, among whom were a Pacha and ſome Agas, 100 priſoners taken, and the reſt eſcaped. He brought off alſo two pieces of cannon, ſix ſtandards, beſides throwing twenty-nine pieces of cannon into the river. After this, he returned to Iſmail."

"*London, May* 28. The following letter from Peterſburg, dated April 30. has been ſent to Prince Gallitzin, miniſter from her Imperial Majeſty to the States General.—"A courier is juſt arrived here from the grand army with advice, that on the 24th of laſt month, Maj.-Gen. Weiſman paſſed the Danube, near Tulchi, with 800 grenadiers, in order to make a diverſion while an attack was made on this ſide the river by Gen. Potemkin, upon the fortreſs of Torno. Notwithſtanding Tulchi was defended by a garriſon of 3000 men, and ſeveral batteries, M. Weiſman began the attack, and with his ſmall body of troops entirely routed the garriſon, took ſeveral priſoners, conveyed part of the cannon away in ſmall boats, ſpiked up the remainder, and purſued the enemy to a conſiderable diſtance. The Grand Vizir being informed of this enterpriſe by a ſpy, diſpatched ſeven large veſſels to deſtroy the boats which tranſported our troops: but our forces perceiving this fleet was intended to prevent their retreat,

retreat, reimbarked with the greater expedition; and immediately attacked and ſeized ſix of the enemy's veſſels. Gen. Weiſman repaſſed the river, and returned ſafe to Iſmail."

"*Naples, April* 9. By a letter from Otranto, of the 28th of March, we have the following account: "A ſhip from Corfu brings advice, that the Ruſſians have again made themſelves maſters of the iſle of Lemnos, where they put all the Turks to the ſword, becauſe they had not kept their word in regard to the Chriſtians, when they took the iſland laſt October. The ſame ſhip alſo brings an account, that the Ruſſians had taken the iſland of Meteline, and were building a fort there."

"*Conſtantinople, April* 3. The iſland of Chios, having refuſed to pay a contribution of 100,000 piaſtres, has been taken by the Ruſſians, in ſpite of all the efforts of the Pacha of the Dardanelles and the Captain Pacha. Three Algerine chebecks were burnt, and the other ſhips ſent to its aſſiſtance were diſperſed."

"*London, May* 23. According to letters from Leghorn, the Ruſſians have, for ſome time, been employed in erecting fortifications on the iſland of Scio, in the Mediterranean."

"*Otranto, April* 16. The Ruſſians have made the iſland of Paros a place of arms, and have erected forts, which they have provided with cannon, and a ſufficient number of men, to defend it againſt any attack. — Letters from Raguſa mention, that the Montenegrins have recommenced their operations againſt the Turks."

"*London, May* 16. We are aſſured, that the Knights of Malta have fitted out a conſiderable ſquadron, which have joined the Ruſſian fleet, and are acting in conjunction with them."

"*Cairo, March* 13. Egypt, from whence troops uſed to be drawn for the uſe of the Grand Signior, is now drained both of men and money; this city, in particular, is in a moſt diſtreſſed ſtate. — In an exerciſe of the artillery lately ordered by Ali Bey, in his preſence, an European officer, whom he had lately taken into his ſervice, having hit a mark which none of the Turks could perform, Ali immediately made him a preſent of 100 patoques, [about 600 French livres], and ordered him to traverſe the city in triumph, cloathed with a white fur, as a mark of his regard."

POLAND.

"*Warſaw, April* 6. All accounts agree, that the plague hardly ſubſiſts any longer any where. The miſery and ſcarcity that were the conſequences of this diſtemper, and the inhumanity with which the ſick were treated, contributed much to the ſpreading of it; ſo that it is computed upwards of 150,000 perſons died in Podolia, Braklaw, Kiow, Volhynia, and Ruſſia."

"*Elbing, April* 17. All our advices confirm the happy event of the entire ceſſation of the plague."

"*Warſaw, April* 24. Capt. Kitter, who had been ſent out with a ſmall detachment to watch the Confederates, was attacked on the 14th, near Stiglin, not far from this place, by Marſhal Sawa, at the head of 600 men. Though the Captain had but 90 perſons with him, he made ſuch good diſpoſitions, that after an engagement of four hours, the Marſhal was forced to retire with the loſs of 50 of his party killed, among whom are a captain, a lieutenant, and a cornet of horſe. — One Kierhor, who ravages Podolia with ſome hundreds of troops, is advanced to Bialyſtock, and from thence to within ſix miles of Grodno. He has pillaged the caſtle of Horoſz, belonging to Count Branicki, Great General of the crown."

"*From the Viſtula, May* 4. Major Salomon, the 28th of laſt month, totally defeated a party of the Confederates under the command of Sawa near Selfrenk. Sawa, though wounded in the foot, found means to ſave himſelf; but he was afterwards taken, and brought to that place. The cruelties he has practiſed, promiſe him but a very cool reception."

RUSSIA.

"*London, May* 2. They write from Peterſburg, that her Imperial Majeſty has lately recalled all of her ſubjects whomſoever from baniſhment in Siberia, who had reſided in that inhoſpitable deſert for the term of ſeven years."

"*Peterſburg, April* 2. Our court has received by the laſt diſpatches from our ambaſſador at Vienna, a letter from the republic of Raguſa, in which they ſupplicate the Empreſs, our ſovereign, to grant them her protection."

"*Stockholm, April* 26. On Tueſday ſe'ennight a courier arrived here from Finland,

Finland, ſent expreſs by Gen. Ehrenſward, with diſpatches dated the 19th, which adviſe, that Baron Ribbing, the Swediſh miniſter at Peterſburg, had ſent two letters to him, one dated the 12th, and the other the 13th inſt. informing him, that a contagious ſickneſs had manifeſted itſelf at Moſcow, which, according to the account of a great number of Ruſſian phyſicians, was a burning fever; but the Empreſs, in order to quiet the minds of her ſubjects, had ordered a chain of troops to be formed between Moſcow and Peterſburg. None are admitted to paſs but by the high-roads, on different parts of which houſes are built, where all paſſengers and goods are to perform quarantine, and every other precaution is taken to prevent ſpreading the infection. Gen. Ehrenſward has alſo forbid the entry of all ſorts of merchandiſe from any ſuſpected places, and no one is ſuffered to paſs without a letter of health."

"*London, May* 16. Letters from Hamburg, dated May 3. confirm the above; and add further, that the ſickneſs had firſt appeared in a woollen manufactory at Moſcow; but that, on ſetting fire to the building, and all that was contained in it, it was hoped they had put a ſtop to it. However, the principal inhabitants had left Moſcow, and had retired as far from it as poſſible into the country."

"*Peterſburg, April* 20. The Empreſs received yeſterday, from Moſcow, a confirmation that the ſickneſs there had entirely ceaſed. According to the ſentiments of phyſicians it was only a putrid fever, occaſioned by the ſlovenlineſs of the woollen manufacturers."

"*London, May* 11. There are ſeveral letters in town, which poſitively affirm, that the interior provinces of Ruſſia are almoſt depopulated, by means of the wars, notwithſtanding the ſucceſs in them."

"*London, May* 30. They write from Peterſburg, that Sir Charles Knowles is in ſuch high favour at that court, that he frequently dines in public with the Empreſs, and the Grand Duke, her ſon. Several new regulations are daily making in the marine affairs, by his expreſs directions."

SWEDEN.

"*Stockholm, April* 13. Prince Charles ſet out yeſterday for Yſtadt, to receive the King and Prince Frederick Adolphus on their arrival.—His Majeſty diſpatched from Paris the following declaration, dated March 15.

"As in conſequence of the order of ſucceſſion eſtabliſhed by the States, as well as by the divine providence, I am acknowledged Heir to the Crown of Sweden, and Sovereign of the Goths and Vandals, I ſhould deem myſelf wanting in regard to the tender expreſſions which the officers of the State have always manifeſted for my perſon, if, on my acceſſion to the throne, which I hold from God, and the aforeſaid order of ſucceſſion, I did not give them the ſtrongeſt and moſt inviolable aſſurances, that, at the expence of my blood and my life, I will maintain the purity of their doctrine, as well as their rights and liberties. My intention, and my wiſhes, being far remote even from the idea of oppreſſion, I moſt ſolemnly declare, upon the word of a King, That I am not only reſolved to govern my kingdom, by an exact adherence to the laws of Sweden, and the form eſtabliſhed in the year 1720, but that I ſhall deem as profeſſed enemies to my crown and perſon, thoſe who ſhall, ſecretly or openly, under any pretext whatever, ſeek to introduce an unlimited authority, or what is termed abſolute ſovereignty.

GUSTAVUS."

"*Berlin, April* 27. On the 22d of this month the King of Sweden, accompanied by his brother Prince Frederick Adolphus, arrived at Potzdam from Brunſwick. Laſt Thurſday they came to this capital, and were immediately received by the Queen of Pruſſia and the Royal Family. In the evening there was a grand concert of muſic, and afterwards a moſt ſplendid ſupper in her Pruſſian Majeſty's apartments in the palace." *Lond. gaz.*

"*Berlin, April* 30. Yeſterday the King of Sweden took leave of his Majeſty, and ſet out, accompanied by his brother, for Stralſund."

"*London, May* 16. Letters from Sweden inform us, that, in the different dock-yards of that kingdom, thirty ſhips of war are building for the ſervice of France, conformably to one of the ſeparate articles in the new treaty of ſubſidy concluded between thoſe two powers."

"*Hague, May* 24. According to advices from Stockholm, the court-party diminiſhes daily; ſo that if the defection continue,

continue, its partisans will soon be very few. This diminution is attributed, on the one hand, to the manœuvres of the court of Petersburg, which covertly takes great pains to prevent the new King of Sweden from having more authority and power than the King his father and predecessor possessed, and to this effect every sort of influence is practised on the senate and the nobility of the kingdom, as being the most powerful order. On the other hand, the diminution of the court-party is attributed to the contents of the declaration that the new King made in his late letter addressed to the senate, [above inserted.]."

DENMARK.

"*Copenhagen, April* 7. Among the various arrangements made by the King, there is one from which this country will reap no inconsiderable advantage. By a rescript issued at Hirscholm, Oct. 26. 1770, the King complains of having had reason to observe, that the reversions of places granted, instead of exciting diligence and zeal, inspire an unpardonable indolence. For these reasons, his Majesty expressly orders, "That, for the future, when any employment becomes vacant, those who have obtained the reversion of them shall be scrupulously examined; and such persons shall be declared to have forfeited them, who have not taken care to render themselves capable of executing them, or who by their conduct are unworthy of them."

"*Copenhagen, May* 7. His Danish Majesty has just issued an ordinance to limit the time of all mourning, public and private, to the space of one month; and has likewise signified his pleasure, that it should be as slight as it is to be short.—This ordinance has been followed by another, injoining some regulations concerning the funerals in this city. No family, of what condition soever, is to be permitted, for the future, to bury the dead in the day-time, as has hitherto been customary." *Lond. Gaz.*

"*London, May* 10. The noble, disinterested, and patriotic conduct of the King of Denmark, holds a shining example to all the princes of Christendom; nor does it appear in any instance more respectable than by a rescript published at Copenhagen the 16th of April last, injoining the courts of justice to be particularly attentive to cases of debts contracted by persons of quality with those of inferior rank, and to cause them to be duly discharged, without having the least regard to privileges or immunities of any kind whatsoever, that might impede the ordinary process of law; his Majesty being nobly determined on a strict and impartial administration of justice amongst his subjects of all ranks and degrees."

"*New York, April* 1. A gentleman at Santa Croix, writes his friend here, that there has lately been discovered on that island, a gold mine, the richest in appearance ever known. It is not difficult to work, and has yielded from five to ten *per cent.* which is thought immense. A party of soldiers have taken possession of the gentleman's plantation where the mine was found, all gold mines being the King's property." [213.]

GERMANY.

"*Hamburg, April* 23. We hear that the lands of forty-six villages have been overflowed in the lower marshes of Brandenburg, by the Upper Elbe's having burst the dikes in three places, owing to the same kind of accident that occasioned the overflowing of the Weser. Several of the nobility were obliged to save themselves in their garrets, and remained four days without assistance. They had no other resource for saving their cattle, but by driving them into the apartments of the first story. This misfortune has ruined many families, and increases that distress which the uncommon length and severity of the winter had universally spread in those parts; the prices of every kind of sustenance having risen so much in proportion thereto, that many peasants were under the necessity of unthatching their houses to maintain their cattle."

"*London, May* 4. The inhabitants of Moravia and Bohemia being in great distress from the want of corn, the Emperor sent commissaries thither to examine into the state of the granaries, as well public as private; who reporting, that the scarcity was merely artificial, and owing to the avarice of individuals, there being corn sufficient for two years consumption, his Imperial Majesty thereupon issued orders to the farmers, to deliver corn to such of his subjects as had none to sow their lands with, to be repaid in kind at the next harvest; and after reserving enough to themselves for the same purpose, and for the support of their families, to deliver the rest at a fixed price to the magazines appointed for the supply of the people."

"*Munich, May* 12. This country, which uſed to be the granary of Tirol, Switzerland, and of ſeveral unfruitful territories, is now reduced to great extremity, and the government is wholly employed in relieving it. For this purpoſe, 100 large barrels of flour, which had lain in one of the city-ſtorehouſes ever ſince the year 1632, when Guſtavus Adolphus ravaged Bavaria, have been examined; and, though reduced to a kind of ſtone, are found, in ſome degree, ſerviceable, by a proper mixture of freſh meal; and the bread made in this manner is diſtributed to the poor. Many expedients are taking to procure corn from Italy and Auſtria; and all perſons who have no viſible occupation, are ordered to leave the city; the ſubjects to retire to their reſpective habitations, and the foreigners to remove out of the ſtate.—The ſituation of Ratiſbon is ſtill more deplorable, as they have but ſmall hopes of eſcaping a famine: and at Augſburg, the poorer ſort of people are reduced to ſubſiſt on a kind of bread made of the bark of beech and alder, into which a ſmall quantity of ſpice is worked; though, from its heating quality, it is of itſelf liable to produce diſorders." *Lond. Gaz.*

"*London, May* 30. A correſpondent aſſures us, that the whole pay of the King of Pruſſia's troops in time of peace, does not amount to more than what is ſpent in England annually on reviews."

United Provinces.

"*London, May* 14. They write from Paris, of the 6th inſtant, that a conſiderable body of Dutch land-forces had been marched, by order of the States-General, into the Dutch Netherlands on the Auſtrian lines."

"*London, May* 23. A correſpondent aſſures us, that the Dutch are, without any ſhew or buſtle, putting their navy upon a moſt reſpectable footing: and that they have now on the ſtocks, at Amſterdam, Fluſhing, Haerlem, and other ports, above thirty capital ſhips, ſome of which are nearly finiſhed."

"*London, May* 30. Private letters from the Hague import, that, in conſequence of ſome advices received over land from the Eaſt Indies, ſix ſhips of war, with a number of land-forces, are ordered to ſail from harbour as ſoon as poſſible. They are, for the greater diſpatch, to ſail ſingly, and rendezvous at the Cape of Good Hope."

France.

"*Paris, April* 22. Laſt Thurſday, in the night, the muſqueteers carried lettres de cachet to the twelve members of the great council who had reſigned, ordering them to return to the palace, and reſume their functions. Some of them would not go there, and others returned only to renew their proteſts. Mr Lambert, the dean, having his lettre de cachet in his hand, declared, that the King might command his fortune, his perſon, and his life; but that he could not diſpoſe of his honour or his conſcience.—As ſoon as the parliament of Rouen was informed of the formation of a new parliament of Paris, it paſſed an arret, couched in ſtronger terms than any that has yet appeared; and at the concluſion it forbids all officers belonging to the parliament of Rouen, to acknowledge any acts of this nominal parliament of Paris."

Eleven members of the great council, who compoſed part of the great chamber and the tournelle of the new parliament, have reſigned their places.

"*Hague, April* 26. The laſt letters from Paris adviſe, that the Duke d' Harcourt has refuſed to take the command of the troops in Normandy. They write from the capital of that province, that, on the 15th inſtant, the day after the laſt bed of juſtice, the parliament aſſembled, and iſſued an arret, which declares the members of the new parliament *intruders, uſurpers of the offices of other people, enemies of the ſtate, and violators of their oaths*; and ſtrictly forbids the acknowledgement or execution of any of their arrets.—This proceeding will probably coſt the parliament of Rouen very dear."

"*Paris, April* 29. By a decree of the parliament of the court, the arret of the parliament of Rouen of the 15th has been burnt by the hands of the common hangman, as a ſeditious libel, infringing upon the royal authority and the laws of the realm, as tending to render the King ſuſpicious of the ſentiments of the magiſtrates, to ſhake the loyalty of the people, to withdraw their obedience, and as falſely attributed to the ſaid parliament."

"*London, May* 10. Letters from Paris adviſe, that the firſt preſident of the parliament of Rouen hath been ſent for to court, and that he arrived there the day before the date of theſe letters. The

King

King hath alſo ordered the grand deputation of the ſaid parliament to appear before him, which that court make a difficulty of permitting, but his Majeſty will be obeyed."

"*Paris, May* 5. It is ſaid, that the princes of the blood have ſent copies of their late proteſt, againſt the abolition of the parliament, to the Kings of Spain and Naples, as alſo to the Infant of Parma; and that thoſe princes had likewiſe made very long and ſpirited proteſtations againſt the ſame meaſure, as firſt princes of the blood of France. It is added, that the Spaniſh ambaſſador had already preſented the proteſtation of the King his maſter to the French monarch."

"*London, May* 23. Private letters from Paris aſſure us, that a great defection among the nobility has lately appeared, which is likely to be attended with the worſt conſequences."

"*Hague, May* 5. Letters juſt received from Paris mention, that it was never more neceſſary for perſons there to devote themſelves to the God of Silence than at this time. Three perſons, who now probably regret not having kept their lips ſealed, were lately arreſted, and conducted to priſon, as they were coming out of the palace. Two others met with the ſame fate as they were quitting the chatelet."

"*London, May* 10. About three weeks ago, a gentleman took a coach at Verſailles, and called a *Savoyard*, (one of a number of boys who ply in the ſtreets, and get their bread by going on errands, &c.), and gave him ſome papers under his arm, at the ſame time telling him to get behind the coach; and ordered the coachman to drive to the King's palace. When he alighted, he told the boy to wait in the *premier chambre* with the papers till he came back to him; but after waiting three hours, and no body coming to him, the boy, not knowing what to do, walked about crying; when one of the King's attendants coming by, and ſeeing him, aſked, why he cry'd? the boy told his ſtory; which led the other to examine the papers; and within he found a picture of the King and Madame Barré in a moſt immodeſt poſture (very improper to be deſcribed) moſt admirably executed; under which was an inſcription ſomewhat to the following effect: *His moſt Chriſtian Majeſty exerting his beſt abilities for the good of his people.* The attendant gave the boy the papers again, bidding him wait a little; when he went, and reported this affair properly, and the boy was taken and examined, without being able to make any diſcovery who his employer was, after which he was ſet at liberty. The moſt diligent ſearch is making after the artiſt, but it is thought in vain. This, with ſeveral other ſatirical prints and burleſques circulated about, greatly alarm his Majeſty and his creatures."

"*London, May* 10. Perry has lately been prohibited from being brought into Paris, as the wine-merchants have now a practice of adulterating the beſt wines with it. Within theſe laſt five months, no leſs than 4000 caſks were brought into Paris, and laſt year 4234; whereas in 1769 there were no more than 1300; and for the ſeven years from 1761 to 1768, only 150. Thus the Engliſh conſumers of champagne, &c. have been, for theſe laſt three years, drinking French perry, at a price ten times above what they might have a wholſomer liquor for at home."

"*London, May* 30. The Jeſuits, we hear, are pouring faſt into the French King's dominions, who, it is believed, has reſolved to countenance and ſupport them, though to the final diſſolution of the league of Bourbon."

"*Piſa, April* 20. The three deputies which the iſland of Corſica ſent to the King, have reaſon to be ſatisfied with their journey. One has obtained an abbey, a ſecond the rank of colonel, with the appointment of 4000 francs *per ann.* and the third the office of grand chancellor."

"*London, May* 4. Advice was received yeſterday, that a terrible earthquake had happened at Martinico, which did a great deal of damage."

ITALY.

"*London, May* 21. A letter from Italy ſays, that the treaty between the Holy See and the Houſes of Bourbon is finally ſettled; in which the court of France conſents to reſtore Avignon to the Pope, the court of Rome conſents to cede to the Infant of Parma the places which that prince has taken poſſeſſion of, and that the General of the Jeſuits ſhall be raiſed to the purple, but that the body is no longer to exiſt as a religious order."

SPAIN.

"*London, May* 7. They write from Madrid, that his Catholic Majesty, desirous of keeping a squadron of observation in the Mediterranean, has dispatched orders to Carthagena, to all the men of war to hold themselves in readiness to sail, and to prepare with the utmost expedition those that are upon the stocks."

"*London, May* 23. It may be depended on, that four men of war, from 60 to 70 guns each, sailed out of the harbour of Ferrol for the Mediterranean the 12th instant, supposed destined to join the Spanish squadron. — Private letters from Madrid mention, that certain intelligence has been received at court, of a dangerous insurrection in a principal province of Spain in South America."

"*London, May* 16. By an officer just arrived from Gibraltar, we are informed, that all kinds of provisions are there in great plenty; the supplies from Barbary and Spain being regulated upon an entirely new footing."

PORTUGAL.

"*London, May* 9. The King of Portugal published an edict the 28th of March last, prohibiting the importation of woollen and linen manufactures from France and Holland, and allowing the importation thereof from England and Ireland duty-free."

"*London, May* 4. Some private letters from Lisbon mention a very spirited remonstrance, in the name of the French King, having just been received at court, couched in terms extremely humiliating to the pride of the Portuguese premier."

"*London, May* 11. By the last letters from Lisbon we are informed, that the inconveniencies which the British traders have so long laboured under at that place, are now likely to be at an end, as the Portuguese ministry have published some edicts lately in their favour. This sudden change is said to have been brought about by the memorial sent from our court in the Venus frigate."

"*London, May* 16. Letters from Oporto, by the last mail, bring advice, that an edict is issued, importing, that if any persons presume even so much as to mention the King and ministry, they shall be banished from Portugal for ever."

"*London, May* 21. They write from Portugal, that a brief is arrived there from Rome, addressed to the Patriarch of Lisbon, impowering him to suppress, reform, separate, and disperse, what religious houses he shall think proper throughout the whole kingdom, and introduce such new regulations into all the monasteries, as shall, in a very great measure, subject them to the controul of the temporal jurisdiction."

"*London, May* 23. The King of Portugal has published an order to suppress sixteen religious houses in the city of Lisbon. It is said, that similar orders are to be extended all over Portugal."

BRITISH NORTH AMERICA.

"*London, May* 17. A gentlemen lately arrived from America says, that business is now carried on there with the same spirit and facility as if it had never known interruption; and that the natural affections of the people for the mother-country are revived far beyond what could have been expected after such recent disturbances."

"*London, May* 11. Thursday commissions were sent to Birmingham and Sheffield to the amount of 50,000 l. for goods to be got ready for exportation to America."

London, May 21. The wares and merchandise exported from G. Britain to the colonies since the partial repeal of the act imposing duties on their importation there, is computed to be equal in value to two millions Sterling."

"*Salem, New England, March* 12. Tuesday last was the anniversary of the never-to-be-forgotten 5th of March 1770, the day on which the Boston massacre was committed. The bells of the several Congregational meeting-houses were tolled from twelve o'clock at noon till one. In the evening there was a very striking exhibition at the dwelling-house of Mr Paul Revere, fronting the old North Square, which represented the melancholy transactions of that tragical event, and which was so well executed, that the spectators, whose number amounted to several thousands, were struck with solemn silence, and their countenances were covered with a melancholy gloom. At nine o'clock in the evening the bells tolled a doleful peal until ten; when the exhibition was withdrawn, and the people retired to their respective habitations."

"*London, May* 30. Two or three troublesome, or, as they call themselves, public-

public-ſpirited men, we hear, are endeavouring to revive the dying embers of party at Boſton; but it is hoped the good ſenſe of the people will be able to defeat the intents of the ſelf-intereſted, or the malevolent, and purſue ſuch ſteps as are obviouſly calculated to promote the true happineſs and advantage of the colonies."

"*London*, *May* 30. A letter from Boſton in New England, of April 9. runs thus. "The diſpute between the Houſe of Repreſentatives and Gov. Hutchiſon, relative to holding the aſſembly at Cambridge inſtead of Boſton, is again revived. The 4th ult. the Houſe appointed a committee to wait on his Excellency with a meſſage, deſiring, that the great general court might be removed to Boſton. But his Excellency denied complying with their requeſt, on account of their denying, in effect, the right reſerved by the crown to convene the court in ſuch place as the Governor thought proper. His Excellency concludes his anſwer to the meſſage of the Houſe of Repreſentatives as follows.—"I am ſenſible there is buſineſs of great importance lying before the court, but I am leſs concerned whether you proceed to act upon it, becauſe it is but a ſhort time before I ſhall be obliged by charter to meet a new aſſembly; therefore if you decline proceeding, I ſhall, without delay, put an end to the ſeſſion."

"*London*, *May* 7. They write from *Virginia*, that near one hundred of the principal planters have entirely laid aſide the culture of tobacco, and converted their eſtates to ſomething more advantageous."

"*Winchester*, *March* 6. About ten days ſince, an expreſs from Fort Pitt paſſed, on his way to the commander in chief, with the news of the Spaniards having taken Fort Chartres, a poſt garriſoned by the Britiſh troops on the Illinois river. They could give no circumſtantial account of the matter, as the news of this diſaſter was brought to Fort Pitt by Indian meſſengers."

"*London*, *May* 4. They write from St Auguſtine, that the planters of rice, indico, grapes, and tobacco, have lately ſucceeded beyond their moſt ſanguine expectation in the province of *Eaſt Florida*."

BRITISH EAST INDIES.

"*London*, *May* 3. Sunday an expreſs arrived over land from Bombay, by which we learn, that Heyder Aly has ſued for peace with the Marattas; that he has alſo deſired the aſſiſtance of the Engliſh on this occaſion; and that, upon the whole, it was generally imagined, this affair would, in a very ſhort time, be amicably adjuſted. This little check upon the Aſiatic chiefs has thrown great weight into the ſcale of the Engliſh, as it tends to convince Heyder Aly and the Aſiatics of the abſolute neceſſity they are under of always keeping well with the Engliſh. And ſome perſons go ſo far as to hint, that this little diſcord between the Marattas and Heyder Aly was, underhand, fomented even by the Engliſh themſelves; more eſpecially as the expreſs remarks, that *all* was quiet and tranquil when he left Bombay. By the ſame channel we are informed, that Col. Coote is on his paſſage home, and that his arrival may be expected in the courſe of this month."

"*London*, *May* 11. The late cataſtrophe in the Eaſt Indies has ſo viſibly damped the ſpirit of Nabob-hunting, amongſt the younger ſons of our people of faſhion, that inſtead of giving premiums for appointments, as uſual, from 500 to 1000 l. it is ſuppoſed that overgrown company, in order to keep up a proper ſupply, will be obliged to allow handſome douceurs, for encouraging young gentlemen to enter into their ſervice."

The Aurora frigate, which ſailed from Spithead on the 2d of October 1769, on board of which were the three ſupervifors of our Eaſt-India company's affairs [xxxi. 386.], and which has not been heard of ſince ſhe left the Cape of Good Hope the 27th of December that year, is ſuppoſed to have been loſt or foundered in the gulph of Sofala, or channel of Moſambique, which divides the weſt ſide of Madagaſcar from the eaſt coaſt of Africa; a channel dangerous at all ſeaſons, even to thoſe who are acquainted with it, on account of the ſhoals with which it abounds, (particularly a very large one, called the *Banks of India*, almoſt under the tropic of Capricorn), but which Capt. Lee, who commanded the frigate, though a ſtranger to it, could not be diſſuaded from attempting in the midſt of winter, inſtead of ſtretching, as uſual, into the Great Indian Ocean, ſouth of Madagaſcar. Mr Vanſittart, it is ſaid, was ſo averſe to this navigation, that if an outward-bound Eaſt-Indiaman had been

been at the Cape, he would have quitted the Aurora. One of his ſons accompanied him in this fatal voyage. The Captain's intention was, to have taken in proviſions at the iſland of Johanna, one of the Comorro iſlands, belonging to the Portugueſe, in lat. 12. 15. and where the ſhips bound to Bombay and the Malabar coaſt generally touch.

Among the paſſengers on board this frigate, (beſides the three ſupervifors, Henry Vanſittart, Luke Scraſton, and Francis Ford, Eſqs), were, the Rev. William Hirſt, M. A. chaplain to the commiſſion, an excellent aſtronomer, who obſerved the tranſit of Venus in 1761 at Madraſs, and that in 1769 at Greenwich obſervatory, with the Aſtronomer-Royal. Mr Hirſt alſo took a view of the Cape of Good Hope in his former return from the Eaſt Indies, at the deſire of Mr Vanſittart, which has been engraved by Canot. Capt. Lee commanded the Aurora, Mr Montreſſer (ſon of Col. Montreſſer) was firſt lieutenant, and Mr Falconer, author of the Shipwreck, a poem, &c. was purſer.

ENGLAND.

A petition of the widows of the commiſſion and warrant-officers of the royal navy being offered to be preſented to the Commons, April 29. the Lord North, by the King's command, acquainted the Houſe, that his Majeſty having been informed of the contents of the petition, recommended it to the conſideration of the Houſe. Then the petition was read; ſetting forth, That, for theſe ſeven years paſt, the petitioners penſions have gradually decreaſed; and are now ſo greatly diminiſhed, that for theſe three years paſt, having received conſiderably leſs than what they did in time of war, many widows have been reduced to inſuperable, and ſome to inſupportable diſtreſs; therefore begging the Houſe to take their very unhappy caſe into conſideration, and to make an addition to their fund, which is at preſent ſo low, and upon ſuch an uncertain eſtabliſhment, that they are not able to raiſe any money on the credit of their nominal penſions, to procure them only a temporary relief from the moſt excruciating diſtreſs; and as the melancholy diſtreſſful proſpect of leaving a beloved wife and helpleſs children expoſed to all the miſeries and calamities attendant upon poverty and want, can be no encouragement for a good officer freely and chearfully to venture his life in the ſervice of his country, the petitioners hope, that that conſideration, added to the diſtinguiſhed and acknowledged ſervices rendered to the public by their beloved, brave, but unfortunate huſbands, will recommend them and their ſucceſſors to the notice of parliament; and they flatter themſelves, that as the land-officers widows (who cannot claim a merit ſuperior to thoſe of the ſea) have their penſions fixed, and regularly paid every four months, by a parliamentary ſettlement, the Houſe will ſo far honour his preſent Majeſty's godlike recommendations, as effectually to ſecond his late Majeſty's moſt humane, beneficent, and royal intention, of ſecuring a ſettlement for the widows of naval officers; that, agreeable to the above-mentioned eſtabliſhment, by the authority of parliament, their penſions may be fixed, and regularly paid, which many of their huſbands have dearly purchaſed with the price of their blood. The petition was ordered to lie on the table.

On the 26th of April, an ingroſſed bill from the Lords, intitled, "An act to prevent any bill from being brought into parliament, for the diſſolution of any marriage, for the cauſe of adultery, unleſs a clauſe or particular words be inſerted, to prevent the perſon againſt whom the adultery has been proved, from marrying, or contracting matrimony, with the perſon with whom he or ſhe ſhall be proved to have carried on ſuch criminal intercourſe; and to declare the iſſue of ſuch marriage incapable of inheriting," was read a firſt time. It was read a ſecond time on the 29th, and committed for next day. But on the 30th, after the order for committing was read, a motion was made, and the queſtion being put, That Mr Speaker do leave the chair? it paſſed in the negative. 62 to 54. Then it was reſolved, to go into a committee upon it that day fortnight, May 14. By which it was dropt; for the prorogation took place May 8.

The reſolutions of a committee which had been appointed by the Commons, to conſider ſo much of the criminal laws as relate to capital offences, were reported to the Houſe, May 6. viz. That ſo much of each of the four following acts as ſubjects offenders to death, ſhould be repealed, viz. — 1. The act 7° Hen. VII. intitled, "The penalty of a captain or ſoldier

ſoldier retained to ſerve the King in his intended wars, not doing their duty."— 2. The act 1° & 2° Phil. & Mar. intitled, "An act againſt certain perſons calling themſelves *Egyptians*." — 3. 4. The acts 5° Eliſ. intitled, "An act for further puniſhment of vagabonds calling themſelves *Egyptians*," and, "An act to retain her Majeſty's ſubjects in their due obedience." It was ordered, That the report ſhould be taken into further conſideration that day ſevennight. But in two days the parliament was prorogued.

A bill, intitled, "An act for the better regulation of carters, carts, carriages, loaded horſes, pedlars, tinkers, and petty chapmen; and for filling up of coal and other pits and ſinks, and removing of obſtructions and nuiſances, within that part of G. Britain called *Scotland*, was paſſed in this ſeſſion by the Commons, and ſent to the Lords; by whom it was returned to the Commons, May 8. with ſome amendments, to which their Lordſhips deſired the concurrence of the Commons. But the Lords meſſenger was ſcarce gone, when the Houſe was commanded to attend the King, as juſt mentioned; ſo that the amendments could not be taken into conſideration. — So that it is to be feared ſome more ſacrifices muſt be made to indolence or negligence ere their fatal conſequences be prevented by proper penalties. [166.]

On Monday, May 6. the Commons, in a committee of the whole Houſe, to conſider of the preſent ſtate of the corn-trade, came to the following reſolutions, which were forthwith reported, and agreed to, viz. 1. That if the importation and exportation of corn were properly regulated by ſome permanent law, it would afford encouragement to the farmer, be the means of increaſing the growth of that neceſſary commodity, of affording a cheaper and more conſtant ſupply to the poor, and of preventing abuſes in that article of trade. 2. That when the price of wheat ſhall be at, or above, 48 s. per quarter, it will be expedient to permit the importation thereof, upon paying a ſmall duty, merely to aſcertain the quantity imported. 3. That when the price of wheat ſhall be under 48 s. per quarter, it will be expedient to permit the importation thereof, upon paying the duties required by the laws now in being. 4. That when the price of wheat ſhall be under 44 s. per quarter, it will be expedient to permit the exportation thereof. 5. That when the price of wheat ſhall be under 44 s. per quarter, it will be expedient to allow the preſent bounty of 5 s. per quarter, upon the exportation of ſuch wheat as ſhall be of the growth and produce of G. Britain, and ſhall be exported in Britiſh ſhips, agreeable to the laws of trade and navigation.

[The reſt of the Engliſh affairs deferred.]

SCOTLAND.

The general aſſembly of the church of Scotland met, at Edinburgh, on Thurſday, May 23. [xxxii. 542.]. Mr Robert Walker, one of the miniſters of Edinburgh, was unanimouſly choſen moderator. John Earl of Glaſgow was the King's Commiſſioner.

A committee to whom it was referred to name miniſters to preach before the Commiſſioner, gave in their report on the 24th; and the following Rev. gentlemen were appointed to lecture and preach in the forenoon, and preach in the afternoon, before his Grace, viz. Mr John Macdermit at Straiton in the forenoon, and Mr Thomas Randall at Inchture in the afternoon, of Sunday May 26.; and Mr Andrew Hunter at Dumfries in the forenoon, and Mr John Kempt at Trinity-Gaſk in the afternoon, of Sunday June 2. Which they did accordingly.

On report of the proper committee, the aſſembly, May 25. rejected the commiſſion from the borough of Dornoch, becauſe it bore date April 30. the acts of aſſembly requiring, that elections ſhould be made at leaſt forty days before the meeting of the aſſembly. [xxxi. 273.]

The ſame day was taken under conſideration, a petition and complaint of Mr Charles Niſbet miniſter of Montroſe; ſetting forth, That, on the 12th of September laſt, a petition was given in to the preſbytery of Brechin, by the tutors of Sir David Carnegie of Southeſk, ſole heritor of the pariſh of Kinnaird, and ſeveral of the heritors of the pariſhes of Farnwell and Brechin, all within the ſaid preſbytery, craving the preſbytery's conſent to a proceſs which the petitioners intended to raiſe before the court of teinds, for annexing the pariſh of Kinnaird to the adjacent pariſhes of Farnwell and Brechin; that the preſbytery, Oct. 3. in a meeting, at which only two members beſides the parties were preſent, gave their conſent; that Mr Niſbet complained of this ſentence to the

ſynod

ſynod of Angus and Mearns; that the ſynod, Oct. 23. at a meeting conſiſting of only five members, and a correſpondent member from the ſynod of Perth and Stirling, (who was put into the chair), beſides the members of the preſbytery of Brechin, who were parties, diſmiſſed Mr Niſbet's complaint, and approved of the conduct of the preſbytery; and that the petitioner, Mr Niſbet, thought it his duty to appeal to the aſſembly; whom he requeſted to take in the cauſe before themſelves, as one that related to the very being of this national church, and not to refer it to the commiſſion. Which requeſt was complied with: for it was the firſt cauſe taken in. Appearance was made for Mr Niſbet, the appellant, and for the heritors, and for the ſynod, but none for the preſbytery. After hearing parties, and reaſoning, the queſtion was put, Reverſe the ſentence of the ſynod and preſbytery; or, Diſmiſs Mr Niſbet's appeal? it being underſtood, that if it carried Reverſe, the ſentence ſhould be -- [as after expreſſed] It carried, Reverſe, 91 to 56. "Therefore the General Aſſembly did, and hereby do, reverſe the ſentences of the ſynod and preſbytery, and refuſe their concurrence to the propoſed diſmembration and annexation; and appoint the procurator to appear againſt the ſame before the commiſſioners of teinds, &c."

On Monday, May 27. the following overture was tranſmitted from the proper committee, viz. "Whereas many diſputes have ariſen, where ſatisfaction is to be made, in caſes when the delinquents have their reſidence in different pariſhes, which diſputes are owing to the ambiguity of a few paragraphs in the Form of Proceſs, it is overtured to the aſſembly, That they affix ſuch a meaning to theſe paragraphs as may be a probable mean of preventing theſe diſputes for the future." A committee was appointed to conſider this overture, and to report their opinion. — The report was called for and given in, on the 29th; and the overture was recommitted to the ſame committee, to which two members were added. — On the 31ſt, another report was given in, and approved of: "And accordingly the General Aſſembly find, That according to the law and practice of this church, perſons guilty of uncleanneſs ſhould ſatisfy in that pariſh whereof the woman was pariſhioner at the time the guilt was committed; and that by *a pariſhioner* is underſtood, a perſon who has his or her fixed reſidence, or place of abode, within a certain pariſh for the time, whether ſuch reſidence is of long or ſhort duration."

A petition for Mr Samuel Charteris, miniſter of Kincardine, for himſelf, and in name of the preſbytery of Dumblane, tabling an appeal taken by him, and in name of the ſaid preſbytery, from a ſentence of the ſynod of Perth and Stirling, reverſing a judgement of the preſbytery of Dumblane, with reſpect to the ſettlement of Norriſtown, was taken into conſideration on the 27th, and referred to a committee, to report an overture upon the affair, on or before the Friday following. — A Caſe for the heritors, elders, and heads of families, of the perambulated bounds of Norriſtown, reſpondents in this appeal, ſets forth, That in 1598 the following queſtion was moved in the general aſſembly, "If it be lawful, where congregations are ſo ſpacious, that a great part of the ſame may not reſort commodiouſly to their own pariſh-kirk by reaſon of the great diſtance of the ſame, that a number of the ſaid congregation build a new kirk, and entertain a paſtor, at their own expence?" that the aſſembly declared they would aſſiſt this ſcheme as a godly work; that in conſequence of this, the inhabitants of certain diſtricts in the pariſhes of Kincardine, Port, and Kilmadock, in the preſbytery of Dumblane, united, above a century ago, and applied, firſt to the aſſembly, and afterwards to parliament, for leave to erect a church; that in conſequence of this application, the aſſembly 1650 "ordered and appointed, that the inhabitants within the bounds of the intended erection ſhould have the uſe and exerciſe of public and divine ordinances at the place deſigned, upon ſecurity given to the preſbytery, or ſynod, for their real performance of their voluntary offered agreement; which was, to maintain a miniſter, build a kirk and manſe, provide a glebe and paſturage, and do all other things neceſſary on their part, until the ſaid bounds be formally erected into a diſtinct pariſh by order of law;" that application was likewiſe made to parliament then ſitting; that, Feb. 3. 1653, "the preſbytery, elders, and gentlemen, according to ordinance of parliament, perambulate Port, Kincardine, and Kilmadock, preſcribe the bounds

bounds intended for the new erection, and recommend the foresaid bounds to the judge competent, for their sanction, and a competent provision for the maintenance of the minister, as accords of law;" that the parties concerned made an offer of 400 merks for five years, for which they granted bond; that thenceforward the presbytery considered the perambulated bounds as a distinct parish, they supplied the church, and appointed a session, which the ministers preaching there by appointment should hold for discipline and other ecclesiastical purposes, whence it plainly appears to have been the original intention of the erection, that Norriston should be a separate parish; that after the restoration till the revolution nothing was done in the affair; but that the inhabitants, after many private contributions among themselves, with the concurrence of the presbytery, applied to the assembly in 1720, and obtained an appointment for a collection from six synods for forming this erection; that in 1728 a subscription of the people for 25 l. was laid before the presbytery, to maintain a preacher chosen by themselves; to which proposal the presbytery agreed, on condition, that, at the desire of the ministers to whose parishes the people of Norriston belong, the preacher should visit and catechise; that in 1749 the allowance was augmented to 500 merks; but that in 1751 the assembly passed an act, which sunk this erection into a mere chapel of ease, reducing the minister, formerly in every respect upon the same footing with his brethren, to the rank of a helper to the minister of Kincardine; that this act was occasioned by the heritors, who were alarmed, and as early as 1652, protested against the erection, as dangerous to their interests; that in 1728 they protested again, that they and their successors should be secured from damage; on which the presbytery agreed, that before any other preacher should be settled, the heritors of the three parishes should have notice by an edictal citation; that in 1742 the heritors applied for security of their tithes, and obtained security from the presbytery; that in 1747, upon the presbytery's applying for an increase of the preacher's salary to 500 merks, the former divisions were renewed; that however an accommodation was agreed on by all concerned, which Mr Smith, then minister at Kincardine, with the sole view of restoring mutual tranquillity, carried to the assembly 1751, and got it approved of by them; the nature of which was, that the preacher who officiated in that station should be appointed by Mr Smith minister of Kincardine, the parish where Norriston lies, and that he should be authorised to call for 600 merks out of the fund, the former salary being too small; that though the assembly passed this act merely as a temporary accommodation, yet, upon a vacancy, the presbytery of Dumblane insisted, that Mr Charters, Mr Smith's successor, had the only right to appoint a preacher, the right of presentation having been granted, as they alledged, to the minister of Kincardine by the act of assembly 1751; that this claim was confirmed by the presbytery of Dumblane, but their sentence was reversed by the synod of Perth and Stirling, whose sentence is brought before the assembly by appeal; and that the question before the court is simply this, Whether the nomination of the teacher at Norriston should be in Mr Charters, because the parties concerned formerly submitted their differences to his predecessor in office, or in the inhabitants of the parish, whose forefathers set the original subscription on foot, and who have themselves, with great trouble and expence, from time to time increased it? — The report of the committee on this affair was given in on the 28th, and adopted by the assembly, viz. "The committee report, That having considered this affair, and heard parties, they are unanimously of opinion, that the sentence of the synod of Perth and Stirling should be affirmed, in so far as it reverses the sentence of the presbytery of Dumblane; and are further of opinion, that it would be improper at present to lay down any general rules with respect to the future settlements of ministers to officiate within these perambulated bounds; but that, for supplying the present vacancy, the presbytery should be appointed to proceed to take the proper steps, on or before the first of August next, towards the settling and ordaining of one as minister there, who shall be agreeable to those usually attending divine ordinances dispensed in the church of Norriston: Provided always, that in case those persons shall think themselves aggrieved by the procedure of the presbytery, it shall be competent

for them to appeal to the superior courts; that, during the dependence of such appeal, the presbytery shall sist carrying the settlement into execution; and that, in the mean time, it be recommended to the presbytery to supply the vacancy as in other cases."

On Tuesday, May 28. was taken under consideration the settlement of St Ninian's, which had been before the four preceding assemblies [xxxii. 301.]. The assembly 1770 had appointed the presbytery of Stirling to take the proper steps towards Mr David Thomson's transportation from Gargunnock, and settlement at St Ninian's, with all convenient speed, according to the rules of the church. This sentence was laid before the presbytery on the 8th of August, with reasons of transportation for the patron, and the heritors and inhabitants of the parish concurring with the call. The opposition was still continued; a petition having been given in to the presbytery against the settlement, subscribed by 63 heritors, (of whom, however, the other party admit only four to be really so), 18 elders, and 650 heads of families, amounting to between 3 and 4000 examinable persons. Those on the other side give a state of the valued rent of the parish, which they make to be L. 20,861, 18 3, of which there is for the patron, L. 14,609: 14: 9; and for those who have not appeared on either side, L. 4042: 6: 11; so that the balance remaining to the heritors in opposition to the presentee, is L. 2208: 19: 4. The presbytery had this matter before them on the 5th, and likewise on the 20th of September; on which last day they gave judgement, viz. "Having maturely considered the reasons of transportation given in by the callers of Mr Thomson, together with all the above-mentioned papers, and having fully reasoned on the cause; and finding, that by the act 6. of the assembly 1694, it is recommended to presbyteries, that they do not concur in any design of transporting a minister from one congregation to another, unless, by due comparing of places, and all parties concerned, the disproportion between them, and the greater good of the church, be manifestly evident; and also finding, that the opposition of the very numerous parish of St Ninian's to Mr Thomson still continues in its full force, on account of his weakly constitution and advanced age, they were unanimously of opinion, that the transportation of Mr Thomson, in these circumstances, from so small a parish as that of Gargunnock, to one so uncommonly great as that of St Ninian's, is altogether inexpedient, and cannot tend to the greater good of the church, but manifestly to its hurt in every respect; and they therefore did, and hereby do, unanimously refuse to transport Mr Thomson from Gargunnock to St Ninian's."

This judgement, upon an appeal taken for the patron, &c. was unanimously affirmed by the synod of Perth and Stirling, Oct. 16. — Against which an appeal was taken to the assembly.

In the case for the respondents, the opposers of Mr Thomson's settlement, it is admitted, that the merits of the call were finally determined by the assembly 1770; after which it is said that the cause came before the presbytery — "in a new shape. The question was no longer, Whether a call was necessary to support the right of the presentee? or, Who were intitled to sign such a call? or, Whether, in the case of St Ninian's, such a call really appeared? It was of a more serious nature, and its determination struck in the deepest manner at the welfare and happiness of a numerous parish, whose spiritual interests were under the presbytery's care and protection; and its determination, they were sensible, must in a great degree affect the interests of the church of Scotland itself. They were no longer determining, as a court of justice, by law and precedent, the rights and properties of individuals; they were sitting in judgement upon the spiritual rights and religious liberties of their national church in general, and of 7000 people, who depended for more than their property upon the event of their decision." — The question, they say, is to be determined on the principles of expediency; and they contend, "that, by the rules and practice of the church of Scotland, its judicatories, even after a presentation shall be found valid, or a call shall be determined to be a legal concurrence, and even after the assembly itself have ordered a settlement, have a right, if the person presented is in another charge, to determine, whether the removing him from his present, and placing him in a different charge, is, or is not, for the greater good of the church. This is a right (say they) which no

no determination of the superior church-court can take from an inferior one, and it is a power unboundedly lodged in the last resort in the hands of the general assembly."

It is pleaded on the other side, That the great principle of the church in the matter of transportation is, That no parish shall be deprived of its minister to supply a vacancy, unless their doing so appear to be for the general good of the church; but that it plainly supposes the taking ministers of abilities and experience from a lesser to a greater charge to be for the general good; and they contend that it would be so in the present case.

The assembly, after long reasoning on the affair, came to the following state of a vote: Affirm the sentences of the synod and presbytery, finding it inexpedient, &c.; or, Reverse the same? It carried, Reverse: "Therefore the Assembly did, and hereby do, reverse the sentences of the synod and presbytery, and transport Mr David Thomson from the parish of Gargunnock to the parish of St Ninian's; and appoint the presbytery of Stirling to proceed to his settlement as minister of St Ninian's, with all convenient speed, according to the rules of the church." Dr Daniel Macqueen protested against intimating the sentence, in regard it appeared to him doubtful, whether it was the decision of the assembly or not; he being afterwards to give in his protestation more fully in writing.

Next day, the 29th, a letter from Dr Macqueen to the Moderator, containing his protest, was produced; the recording of which, as the Doctor was not present, was delayed till he should be present.—On reading the minutes of the preceding day, relating to this transportation, Mr James Morison, minister at Paisley, entered his dissent from the sentence; to which dissent 48 ministers and 35 ruling elders adhered.

On the 30th, Dr Macqueen being present, his letter was read; and he insisting that his protest should be recorded, the assembly agreed to his request. To his protest 28 ministers and 22 ruling elders adhered, for the reasons contained in it, and for other reasons that might be added.—The assembly named a committee to prepare what they should think necessary to be recorded, for the vindication of their own procedure, and of the clerk of court, in consequence of Dr Macqueen's protest, viz. Prime. Robertson, Dr Webster, Mr Solicitor Dundas, Mr Andrew Crosbie, with the Moderator.—Then, upon a motion made by a member, the assembly appointed the following members, as a committee, to consider of a method in which the votes of the House should be taken, so as to prevent all disputes for the future respecting the majority of voices, viz. Dr Carlyle, Prime. Robertson, Dr Macqueen, Mr John Freebairn, the Lord Advocate, Mr Solicitor Dundas, Mr Andrew Crosbie, with the Moderator.

P. S. The report of the first of these committees was given in, read, adopted by the assembly, and ordered to be recorded, June 3. the last diet of the assembly. It is already inserted. [232.]

The reasons of protest by Mr John Freebairn, &c. as adherers to the protest taken by Dr Macqueen, were this day given in, read, and ordered to be kept *in retentis* [230.]. Upon reading these reasons, the clerk of court represented—as already inserted. [232.]

The reasons of dissent against the judgement in this cause were likewise given in this day, read, and ordered to be kept *in retentis* [230.]. — Dr Webster desired it might be marked, as to the reasons of dissent, that though he had dissented, and agreed in the main scope, yet there were some things in the reasons which he did not agree to.

We see these reasons of dissent printed in a small pamphlet; with a short narrative of the proceedings in the cause prefixed, and lists of the protesters, dissenters, and voters Affirm; by which it appears, that of the 104 who voted Affirm, 66 were ministers, and 38 elders; and it is said, that of the 106 who voted Reverse, only 48 were ministers.—We now return to the other proceedings.

On Wednesday, May 29. the assembly took under consideration an overture, relating to members of inferior courts, judging in superior courts, in causes appealed from them; and the overture being read, a vote was, after long reasoning, put, Approve, or, Not? it being understood, if it carried, Approve, that the overture should be turned into an interim act; and if it carried, Not, that it should be retransmitted to presbyteries, with an injunction, [as below]. It carried Not, 126 to 51. So the overture was ordered to be transmitted to the several presbyteries, with this particular injunction, That they con-

fider this overture on or before the day of electing their members to next aſſembly.

On Thurſday, May 30. Mr Thomas Smith miniſter at Cummertrees repreſented to the aſſembly, that having repaired to the office of the collector of the fund for miniſters widows, in order to have paid the annual rate due by himſelf, and alſo the annual rates due by ſome of his brethren who had intruſted him with their money, he found no collector there, and was offered a receipt, ſubſcribed, not by Mr James Stewart, the collector appointed by the general aſſembly [vi. 247], but by the Rev. Dr Robert Dick, as his deputy; that Mr Smith did not think himſelf *in tuto*, to pay either his own money, or that of his brethren, upon ſuch receipt; and therefore requeſted the direction of the aſſembly in a matter of ſuch general concern.—Next day, May 31. a motion was made, That a committee ſhould be appointed to inquire into the facts concerning the preſent ſtate of the collector's health, and the deputation ſaid to be given by him, and all other facts relative to the affair. After long reaſoning, the following ſtate of a vote was agreed to, Diſmiſs this affair, or, Not; it being underſtood, if it ſhould carry Not, members would be at liberty to make any motion upon the ſubject that they might think proper? It carried Not, 120 to 95. Then the motion juſt recited, being renewed, it was agreed to; and the following members were appointed, and were directed to meet in the evening, and report next day, viz. the Moderator, Dr Alexander Carlyle, Princ. Robertſon, Dr Daniel Macqueen, Mr William Porteous, Dr John Kerr, Mr John Fleebairn, and Mr Adam Ferguſon, miniſters; Meſſ. Solicitor Dundas, Andrew Croſbie, William Alexander, Alexander Ferguſon, John Maclaurin, John Home, and Alexander Belſches, ruling elders.—P. S. The report was given in on the Saturday, and read. Then an overture was propoſed by one member, and a ſecond by another member; and both were read. Then the appointment of Mr Stewart as collector by the aſſembly 1744, and the bond of cautionry by him and ſureties, were both read.—Thereaft Mr James Lindſay, miniſter at Kirkliſton, appeared at the bar, and deſired to know, as this was an affair in which he and every miniſter of the church of Scotland were concerned, whether it was not competent for him and others to be heard upon it at the bar of the aſſembly by themſelves or counſel, before the aſſembly ſhould determine in it; and Mr Robert Turnbull, miniſter at Sprouſton, deſired to be conjoined with Mr Lindſay in this claim: and a queſtion being propoſed, Hear Mr Lindſay upon his preſent mode of application, or, Not? it carried Not, 93 to 86. Therefore the aſſembly refuſed to hear Mr Lindſay. Againſt which reſolution Mr Lindſay proteſted. Mr Croſbie alſo proteſted, for himſelf, and in name of all thoſe who ſhould adhere to him, againſt the above reſolution: to which proteſtation adhered Meſſ. Alexander Belſches and John Scot, advocates.—Mr Alexander Wight, advocate, appeared at the bar, and craved to be heard in behalf of Mr Stewart the collector, before the queſtion, Tranſmit the firſt or ſecond overture? ſhould be put. To this the aſſembly agreed, and Mr Wight was heard.—The aſſembly, after long reaſoning, agreed to the following ſtate of a vote, Tranſmit the firſt or ſecond overture to the truſtees for the widows fund? Mr John Dun, miniſter at Auchinleck, inſiſted, That all the voters for the firſt overture ſhould have their votes marked at their names on the roll; which the aſſembly having refuſed to comply with, Mr Dun proteſted againſt the refuſal. Then the votes being aſked, it carried, Tranſmit the firſt overture, * 96 to 85. "Therefore the general aſſembly, in conſideration of the preſent incapacity of the collector of the widow's fund, and that the collector has no general power of deputation, ordain their clerk to tranſmit the report of the committee to the preſes of the truſtees for managing the widows fund, and recommend to them to meet on Monday morning next at nine o'clock, and take the proper ſteps for having the

* The ſecond overture was in theſe words, viz. "The general aſſembly having conſidered the report of the committee appointed to inquire, &c.; in reſpect it appears to them, that the collector is incapable at preſent to execute this office in perſon, and doubts having ariſen how far he may execute that office in its ſeveral parts by a deputy, therefore they ordain their clerk to tranſmit the report of their committee to the preſes of the truſtees of the widows fund, and recommend to him to call a meeting of the truſtees againſt Monday morning at nine o'clock, to take the ſteps proper on this occaſion, and to report their procedure to the meeting of the aſſembly on Monday."

office

office of collector properly executed, and report their procedure at the meeting of the assembly on Monday." This resolution was intimated to Mr Henry Hunter, preses of the then last meeting of the trustees. Against which resolution Mr Andrew Crosbie entered his dissent; to which Mr Alexander Belsches, advocate, and others adhered. — Next diet, Monday, June 3. Mr Dun gave in his reasons of protest, and Mr Crosbie gave in his reasons of dissent; both were read, and ordered to be be kept *in retentis*. — The report of the trustees of the widows fund being called for on the 3d of June, the last diet of the assembly, Mr Hunter, their preses, reported, that they found themselves no legal meeting. Whereupon the assembly agreed to take no further steps in the matter.

The report of a committee appointed by the preceding assembly, for considering the order of the house, and the better accommodation of the members, was called for on the 30th; but not being ready, the assembly continued that committee, and added to it the following members, viz. Bailie Walker, the present Moderator, the Lord Provost of Edinburgh, Mr Thomas Simson, the present Convener, and all the other members of the town-council that are members of assembly; three to be a quorum, and the Moderator to convene them.

The same day the assembly appointed the following committee to consider an overture from the synod of Angus and Mearns, concerning the ordination of young men, viz. Princ. Robertson, Drs Macqueen, Webster, and Kerr, and the Procurator. — *P. S.* The report was given in June 3. importing, that the overture should, with a small variation, be adopted, viz. "That there is reason to believe, that some presbyteries are in the practice of ordaining young men, without appointing them to any particular office or charge, and even when not called, or intending to go abroad, which is directly contrary to the fundamental rules of our ecclesiastical constitution; it is therefore overtured, that the assembly should take some effectual method to prevent all such practices in time coming." — The assembly approved, and ordered accordingly.

The case of Port-Patrick was taken under consideration likewise on the 30th, on a petition for Mr William Macmaster, probationer. Mr Macmaster was presented to be minister of this parish by Capt. John Blair of Dunskey; but he was objected to on account of an alledged criminal intercourse with a young woman; and the presbytery found, that they could take no steps towards his settlement till his character should be cleared up; which sentence, on an appeal, was affirmed by the synod of Galloway. Appearance was made in the assembly, for Mr Macmaster, for some elders and many heads of families who petitioned against him, for the presbytery, and for the synod. After reasoning, the assembly unanimously agreed to reverse the sentences of the synod and presbytery; reserving to the presbytery, or the petitioners, to give Mr Macmaster a libel in proper form.

On Friday, May 31. the following overture from the synod of Dumfries, concerning students of divinity, was remitted to a committee appointed by former assemblies on an overture relating to licensing probationers, viz. "It is overtured to the general assembly, that it be enacted, That no person shall be entered as a student of divinity, till he be examined with respect to his proficiency in the languages and philosophy by the presbytery in whose bounds he resides, and attested and recommended by said presbytery as regular in his morals, prudent in his conduct, and deserving encouragement to proceed in his learning, and to enter on the study of divinity: and that when a student shall remove from the bounds of his presbytery, he shall be furnished with an extract of the said attestation, together with a further attestation of his morals and prudence from the time of his commencing student of divinity, to be presented to the presbytery where he shall next reside; and that his character shall thus continue to be ascertained to the several presbyteries into whose bounds he may remove, by their transmitting from one to another attestations to the above purpose."

P. S. On Saturday, June 1. the report of the aforementioned committee for considering amendments to an overture relating to the licensing of probationers, was called for; but not being ready, the committee was continued.

The affair of Kilmaronock came in next. Our readers will remember, that Mr Campbell of Stonefield presented Mr James Addie, probationer, to be minister of this parish; that a sentence of the presbytery of Dumbarton, sustaining a call to this young gentleman, having been appealed from, was affirmed by the

assembly

assembly 1770; that the presbytery refused to sustain a discourse delivered before them by Mr Addie as part of his trials; that the synod reversed this sentence, and appointed the presbytery instantly to retire, and take the rest of Mr Addie's trials, which the presbytery accordingly did, and reported, that they approved of them; that the synod appointed Mr Addie's edict to be served, and his settlement to be proceeded in; against which sentence, however, dissents and protests were entered; and that in December last, the presbytery fisted all further procedure in the affair till the then ensuing assembly, and refused to receive any report of the service of the edict [22. & xxxii. 340. 628. 727.]. —Several weeks before the meeting of the assembly a pamphlet was published, intitled, *The objections of the presbytery of Dumbarton against Mr Addie's discourse on James* i. 27. *examined and defended; with an authentic copy of that discourse, and a view of the scripture-doctrine of expiatory sacrifices, in opposition to the doctrine of Mr Addie's discourse, and of a long speech delivered at the meeting of the synod at Irvine, October* 1770, *so far as it was intelligible. By Archibald Smith, V. D. M.* [a member of the presbytery.]. In this pamphlet it is said, that Mr Addie, in his reasons of appeal, had attacked the constitution of the church, saying, "That he is inclined to believe lay members have no right to judge" of such discourses [xxxii. 629.]. The presbytery, May 7. 1771, on a motion made for that purpose, agreed, "That the thanks of this presbytery be given to Mr Smith, for the trouble he has taken in preparing and publishing a state of the case betwixt the presbytery and Mr Addie; that they judge it a proper state to be laid, as their, before the next assembly." The majority by which this question was carried is said to have been composed chiefly of elders. It was opposed by several of the ministers; particularly by Mr Duncan Macfarlane, minister at Drumen, who protested for liberty to complain to the assembly of the resolution; alledging, *inter alia*, That the sentence was distressful to the supreme court, before whom the cause was to come, and tending to prepossess the judgement of the public during its dependence; and, That the publication itself was not produced in presbytery, nor any evidence laid before the court, whether the contents were right or wrong, true or false; so that the members who voted for the sentence complained of, appeared to him to have acted from implicit faith in the judgement of the members who proposed it. Some days after the meeting of the assembly a Case was printed, and distributed in the usual manner to the members, for the patron and the heritors concurring, and for Mr Addie. A copy of the discourse was annexed; and it is observed in the Case, that "Mr Smith, in his edition, has substituted the word *ruin*, instead of *proof* [*Pamph. p.* 7. *lin.* 32.], and thus rendered the method perfectly unintelligible. By this substitution, [as it follows in the Case] both the whole intention of the discourse is mistaken, and the world, to which he has appealed, is led by him into the same mistake, namely, That the intention of the discourse is *a set description of the great object of religion.*" In the Case answers were given to the objections of the presbytery.—In the assembly, June 1. petitions for the patron, &c. for the presbytery, and for Mr Duncan Macfarlane, were read. Parties having appeared, Mr Macfarlane represented, that the parties had agreed upon an accommodation of differences, the terms of which he gave in in writing, and they were read, viz. "Parties in the cause of Kilmaronock have agreed, that all complaints and appeals in that matter shall be hereby dropt and fallen from, and are willing that the general assembly shall order and appoint the presbytery of Dumbarton, at their next ordinary meeting at Drumen, to receive the return of Mr Addie's edict, and hear the objections of the parishioners of Kilmaronock, if they any have, to the life and doctrine of the presentee; and if nothing new can up which the presbytery shall think relevant, that then they proceed to the settlement of Mr Addie, according to the rules of the church." Parties being thus heard, the above agreement was again read, and assented to by all the parties; and, with some amendments, was unanimously agreed to, as follows. "The general assembly did, and hereby do, appoint the presbytery of Dumbarton, at their next meeting at Drumen, to appoint a day when the parish of Kilmaronock shall be heard upon the return of the edict, and to give them proper notice thereof; and if no new objection against his life or doctrine

shall

shall be offered, which the presbytery shall judge relevant, that the presbytery shall proceed, without delay, to the settlement of Mr Addie as minister at Kilmaronock, according to the rules of the church."

On Monday, June 3. the last diet of the assembly, a motion was made, That as Dr John Walker, minister at Moffat, was going, by a commission from the trustees on the annexed estates, to visit the western highlands and islands, the assembly should renew the commission granted to him by the assembly 1764 [xxviii. 680.]; to which the assembly agreed, and renewed the commission granted to Dr Walker by the assembly 1764.

The report of the committee appointed by the preceding assembly, to consider the overtures relating to the improvement of ministers glebes, was called for; and it not being ready, the assembly continued the committee, and added to it the Lord Advocate.

An overture, relating to the age of ruling elders, and the electing them to represent sessions in the presbytery and synod, which was given in to the preceding assembly, and ordered to lie over till the present assembly, was read, and ordered to be transmitted to the several presbyteries, and they are appointed to return their opinions upon it to the next assembly.

The window-tax committee was continued.

A petition for Dr William Moore, minister at Halifax in Nova Scotia, and commissioner from the Presbyterian ministers in that province, with a paper, intitled, *The case of the Protestant dissenters in Nova Scotia, impartially stated, and humbly recommended*, were read. — This Case, which is dated at Halifax, April 18. 1769, sets forth, That it is supposed there are in that province, besides the native Indians, between 13 and 14,000 inhabitants, subjects of the British government; that of these near 9000 are Protestant dissenters, of the Presbyterian, Congregational, or Antipædobaptist persuasion; that the rest are either of the established church of England, for the support of whose ministers a legal provision is made, or of the church of Rome, who are allowed to have a priest among them, with a maintenance provided for him; that the Protestant dissenters are, by far the greater part of them, new settlers there, some from other parts of America, and some from Britain and Ireland; that these have their lands to clear, to plant, and to secure by dikes from the overflowing of waters: that the difficulties they have to struggle with, are more easy to be conceived than described; that they are very desirous to worship God in a way that their consciences tell them is most agreeable to his word, but unable to make provision for ministers already settled among them, much less to call any more, how great soever their need of them is; that they now have in several townships (exclusive of one at Halifax, for whom no assistance is asked) eight ordained ministers settled among them, besides others upon probation; that even for these they are not able to provide a subsistence, who are therefore in a most distressed condition, and must be obliged, either to leave the province, or to starve there, unless some relief and assistance can be procured for them; the consequence of which must be, either that numbers must live without the institutions of the gospel, or act counter to their principles and consciences, or, with their pastors, leave the province; and that this being their unhappy case, they are humble and earnest petitioners to their Christian brethren for relief and assistance, and have deputed the Rev. Dr William Moore, pastor of the dissenting church at Halifax, to represent their distressed situation, and to implore relief for them; who generously undertakes it, disclaiming all advantage to himself, as his situation places him above the need of such charity, and only pleads in behalf of his poor distressed brethren. — The assembly agreed, that in the present circumstances, it was not proper to grant the request.

All causes brought before the assembly and not determined, were referred to the commission, and then the assembly 1771 was concluded in the usual manner, the next assembly being appointed to meet, in the same place, on Thursday, May 21. 1772.

The commission met on Tuesday June 4. In the forenoon they took under consideration a petition of George Haldane, Esq; of Gleneagles, and other heritors, callers of Mr Patrick Crichton, the crown's presentee, to be minister of Glendovan, tabling an appeal taken by them from a sentence of the presbytery of

of Auchterarder. It is obſerved in the Caſe for the callers of the preſentee, that "conſidering the remote ſituation of this pariſh, and that the ſtipend aſſigned for the ſupport of its miniſter is one of the loweſt in Scotland [xii. 203.], it might have been imagined, that the inhabitants would think themſelves happy in finding any perſon of an unexceptionable character willing to become their miniſter; but that what has ſince happened is a remarkable example, that no appointment is ſo low, as not to find ſome ſons who conſider it as an object of ambition, and no ſcene of action ſo narrow, that ſome people will not be found to take a pride in exhibiting their talents upon it; and that in May 1770 the cauſe came before the aſſembly for the fifth time." [xxix. 332.].—In purſuance of the ſentence of the Aſſembly 1770 [xxxii. 284. 301.], application was made to the preſbytery of Auchterarder, Sept. 4. 1770, to take Mr Crichton's trials. The preſbytery delayed the cauſe till their next ordinary meeting; and appointed a committee to converſe with the people of Glendovan, and to repreſent to them the benefit and neceſſity of falling in with the preſentee. This committee reported, Oct. 2. That they had uſed all the arguments they could think of, to perſuade the congregation to fall in with the preſentee, but without effect. After further proceedings, the preſbytery gave judgement, Feb. 12. 1771, That they cannot, in a conſiſtency with candour and ingenuity, and with the eſtabliſhed rules of this church, proceed to the ordination of Mr Crichton;" and they refuſed to proceed to the ſteps neceſſary for his ſettlement. Againſt which ſentence an appeal was entered to the aſſembly.—The commiſſion, after hearing parties, (i. e. thoſe who appeared for the appellants and for the preſbytery), and reaſoning upon the affair, unanimouſly appointed the preſbytery of Auchterarder to proceed to take the preſentee upon trials, and in the mean time to uſe their beſt endeavours to reconcile the minds of the pariſh to the preſentee.

[*To be concluded in our next.*]

[*The liſt are deferred.*]

Edinburgh, June 21. 1771. Oat-meal, 1 s. Bear-meal, 8 d. Peaſe-meal, 7 d. 2 f.

Prices of grain at Haddington, June 7. 1771.

	Beſt.	*Second.*	*Third.*
Wheat,	22 s. 0 d.	21 s. 0 d.	20 s. 0 d.
Bear,	16 s. 0 d.	15 s. 6 d.	14 s. 6 d.
Oats,	14 s. 0 d.	13 s. 6 d.	12 s. 10 d.
Peaſe,	12 s. 0 d.	11 s. 6 d.	10 s. 6 d.

The Edinburgh bill of burials for May 1771.

Within the city	Males 36	73	119. Decr. 18.
	Fem. 37		
In the Weſt-kirk-yard	Males 28	46	
	Fem. 18		

Age.			No	Between	Diſeaſes.	No
Under		2	30		Aged	20
2	&	5	7		Aſthma	4
5	&	10	4		Bowelhive	7
10	&	20	6		Childbed	1
20	&	30	4		Chincough	5
30	&	40	10		Conſumption	35
40	&	50	13		Fever	24
50	&	60	26		Inflammation	1
60	&	70	15		Jaundice	1
70	&	80	8		Meaſles	2
80	&	90	4		Palſy	1
90	&	100	2		Small pox	5
					Stillborn	3
					Suddenly	2
					Teething	6
					Vomiting	1
					Weakneſs	1

London gazette, May 4. 11. 18. 25.

AVERAGE PRICES of CORN.

By the Wincheſter buſhel of eight gallons.

Publiſhed by authority of parliament, and ſigned WILL. COOKE. [224.]

GENERAL AVERAGE per buſhel.

[The upper line is the average for England and Wales; the under line that for part of Scotland.—The columns are, 1. Wheat; 2. Rye; 3. Barley; 4. Oats; 5. Beans; 6. Big.—Big [xxxi. 270.] is peculiar to Scotland.]

From April 15. to April 20.

Wh.		Rye.		Barl.		Oats		Bea.		Big.	
s.	d.	s.	d.	s.	d.	s.	d.	s.	d.	s.	d.
5	11	4	5	3	5	2	3	3	7	-	-
4	9	2	5	2	5	2	0	3	7	2	3

From April 22. to April 27.

5	11	4	5	3	5	2	2	3	7	-	-
4	10	2	5	2	5	2	0	2	11	2	3

From April 29. to May 4.

6	0	4	5	3	5	2	2	3	8	-	-
4	11	2	7	2	5	2	0	3	7	2	3

From May 6. to May 11.

6	0	4	6	3	5	2	2	3	8	-	-
4	11	2	9	2	6	2	1	3	7	2	3